

MINISTRY OF HEALTH

LAWS  
LAWS

*Ministry of Health  
Administrative and legal office  
Legal department*

## *Groups of Rules, Systems and Instructions*

*The first unit*

*The rules*

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- C-** The following and planning office.
- D-** Health relations office.
- E-** Health researches office.
- F-** The administrative and legal office.
- G-** The organizing and the methods department.
- H-** The special department.

Secondly:-The ministers council consists of the following:-

- A-**The minister President
- B-**The general secretary for managing the ruled region's social affairs Member
- C-**The ministry deputy or deputies Members
- D-**Manger of the health services public board Member
- E-**Manger of the health training and education board Member
- F-**Manger of The public medicine institution and medical requirements Member
- G-**General manger of the public institutions for constructing health projects Member
- H-**General manger of the health relation offices Member
- J-**General manger of the health research office Member
- J-** General manger of following and planning office Member, legislative
- K-**Manger of the physicians Union Member
- L-**Manger of the dentists Union Member
- M-**Manager of the pharmacists Union Member
- N-**Manger of the social services Public Union Member

And the minister has the right to submit an invitation to any individual with Expertise and specialists from inside and outside the ministry to attend the council's assemblies to benefit from their opinions.

## *The second Unit*

### *The formations that are connected with the ministry*

#### *Article four:-*

The following formations are connected with the ministry:-

#### *First:-*

The general institutions for health services and they consist of the following:-

#### *A-* The institutions center and it includes:-

- 1)-The office for environmental and prevention services.
- 2)-The office for treatment services and health insurance.
- 3)-The office for teeth health.
- 4)-The office for pharmacology and labs.

#### *B-* The formations that are related to the institution and they include:-

- 1)-The health offices in all the region's provinces.
- 2)-Medynat Al-Tyb office.
- 3)-Alyrmook medical office.
- 4)-The specialist and educational hospitals in the province of Baghdad that the ministry council wants to connect directly with the institution.
- 5)-The governmental center for health and technical safety.
- 6)-The first aid department.

#### *Second:-*

The Public institution for education and health training and it is organized by a law.

#### *Third:-*

The public institution for medicine and medical requirements and it is organized by a law.

#### *Fourth:-*

The public institution for constructing health projects.

#### *Fifth:-*

The hospital of Ibn-Sina.

## *The third unit*

### *The Central Ministry Specialties*

#### *Article five:-*

##### *First:-*

The Minister:-The minister is the highest authority in the ministry, and is responsible for the ministry's work and political direction. Decisions, orders and instructions are issued under his name to all that is related to the ministries duties, formations, authorities and technical, administrative, financial, legal and organizational affairs in the limits that are legally mentioned.

The minister can submit some of his authorities if he found necessary to his deputy, deputies or any of the ministry employees.

##### *Second:-*

*A-* The ministry council is responsible for the following:-

- 1)-Defining the public objectives for the ministry's plans within the public objectives limits for the government's general politics and national development plans.
- 2)-setting the general limits for the preventive, environmental and treatment politics and everything that relates to the public health in the region.
- 3)-Discuss the elementary ministry plan including the annual budget project to solve the problems which faced these projects in future.
- 4)-Studying and implementing the project laws and regulations imposed by the ministry.
- 5)-Discussing the periodical and annual reports of the ministry's work and stating notes and recommendations to develop the health services and raise up the technical and educational standards for the employees in the health sectors.

*B-* The council holds a regular assembly at least every two months and the minister has the right to call for an assembly if necessary.

### *Third:-*

The ministry deputy or deputies:-And they are responsible in front of the minister for executing the ministry's politics and plans concerning the formations that the minister decides to connect with.

### *Fourth:-*

The planning and following office:-This office is responsible for gathering and arranging the ministry's plan that is set by the formations related to the office. And it is also responsible for programming and balancing these plans and rearranging them as a whole complete plan for the ministry in light of the general objectives for the national development plan and central directions. And the office must monitor and follow the implementing of these plans after they are issued and he must gather, evaluate and analyze the statements and health and life information to make use of them in fields of planning, monitoring and decision making.

### *Fifth:-*

Health relations office:-This office is responsible for organizing the region's foreign health relations and coordinate conventions, conferences and meetings in the region and organize the ministry's public affairs which improves and reinforces the citizens confidence and trust in the medical staff , Iraqi health and taking care of the health media affairs .

### *Sixth:-*

The health research office:-This office is responsible for planning, monitoring, coordinate, directing and supervising the arrangement of researches and elementary studies that aim to improve and develop the preventive, environmental and treatment health services and help to improve the scientific health requirements to achieve health security in the region with the cooperation of international, Arabic and Iraqi scientific research centers and with the encouragement and support the health scientific research movement. This office is also responsible for monitoring the execution of the scientific research plan in the scientific research centers that relate to the ministry and evaluate the results of these researches to make the necessary arrangements to supervise implementing them.

### ***Seventh:-***

The administrative and legal office:- This office is responsible for arranging the financial, accounting, auditing, personal affairs and other administrative services in the ministry's center and giving his opinion in legal issues and participating in preparing legal projects, systems, agreements and private contracts with the ministry and supervising over implementing the medicine degrees law number (99) for the year 1970 and the health occupation degrees law number (44) for the year 1973 and the Pharmacists degree law number(15) for the year 1982, and this office is also responsible for treatment of financial and administrative cases that are related to the ministry and are un included by the authorities of the organizing units related to the ministry, and the administrative and legal office also organizes the special affairs concerning scholarships and study vacations specialized by the ministry.

### ***Eighth:-***

The organizing and methods department:- This department is responsible for performing administrative development activities in the ministry.

### ***Ninth:-***

The special department:- This department is responsible for organizing the appointments, letters, meetings, the minister's interviews, insuring his connections, supervising on the mail affairs, secret keeping of the ministry's center and safe keeping the private letters for the councils and the committees that are led by the minister or if he is only a member in them.

## **The forth unit** **Specializations of the formations connected to the** **ministry**



### Article six:-

#### *First:-*

The health services public institution which is connected directly to the minister:-This institution is responsible for presenting preventive, environmental and treatment health services, health insurance services and raising the citizens health standards, protecting and improving the environment, supervision over the national health centers and monitoring the work of individuals with medical and health professions that work within the private sectors special with the cooperation of specialized professional organizations.

#### *Second:-*

The public institution for establishing health projects:-This institution participates in preparing the study for the health projects that the ministry needs and also participates in preparing the designs and engineering specifications for these projects and preparing the work sites, studying monitoring the specified time programs .

#### *Third:-*

The Ibn Sina hospital:-This hospital is responsible for presenting treatment health services based on the basics and ??? set by the minister.

### *The fifth unit*

### *Conclusion and general rules*

### Article seven:-

The public institution for health services, the public institution for constructing health projects, the health offices in the provinces and the educational hospitals each have a legal personality.

### **Article eight:-**

#### ***First:-***

Every educational hospital has an administrative council led by the hospital manger on the condition that the dean of the college of medicine that benefits from the hospital services is appointed deputy president of the administrative council.

The administrative council consists of the following members the managers of the scientific divisions in the college of medicine and the presidents of the technical divisions in the hospital.

#### ***Second:-***

In every non educational hospital a consultative committee is established, and this committee is led by the manager of the hospital and the managers of the technical divisions are members in this committee.

#### ***Third:-***

The educational board member in the medical college that benefits from the educational hospital's services is submitted by the regulations, orders and decisions that the hospital works according to in its relationships between the educational board member and the patients and he responsible in front of the hospital manger for his treatment and preventive performances inside the hospital.

#### ***Fourth:-***

The minister has the right whenever he finds necessary to establish a consultative committee in any institutions or offices previously mentioned in this law.

### **Article nine:-**

#### ***First:-***

The public institution for health services is led by an employee and he will obtain the title institution manger, he will be appointed and his salary will be determined by a republic declaration and he will be appointed a manager of the administrative council.

### ***Second:-***

Each of the offices mentioned in this law and the public institution for constructing health projects are led by an employee who obtains the title general manager, and this employee is appointed and his salary determined according to a republic declaration.

### ***Third:-***

The manger of the public institution is permitted to have one deputy or more, and this deputy or deputies are appointed and their salaries defined according to a republic declaration.

## **Article ten:-**

### ***First:-***

The hospital title is called upon any prevention and treatment health units that contain (50) beds or more.

The title health center is called upon the other prevention and treatment health units.

### ***Second:-***

The ministry council has the right to name the title (hospital) on any health unit in spite of the number of beds it contains.

### ***Third:-***

The educational hospitals are determined by a statement issued by the minister.

## **Article eleven:-**

The following are determined and defined by resolutions:-

### ***First:-***

The membership and specialties of the administrative councils of the public institution health services and the health offices in the provinces, the public institution for constructing health projects and the educational hospitals, making and approving them and organizing the council's assemblies.

***Second:-***

The authorities and the obligations of the public institutions for health services manager, managers and the employees of the offices and institutions mentioned in this law.

***Third:-***

The divisions of the ministry's center offices, their specialties and the specialties of the offices and the divisions in the public institution for health services, the health offices in the provinces and the public institution for constructing health projects.

***Fourth:-***

The specialties of the consultative committees for the institutions, hospitals and offices mentioned in this law and the membership in these committees and their work methods.

***Fifth:-***

The regulations mentioned in this article are issued in a maximum period of (180) days from the date of the execution of this law.

**Article twelve:-**

In the regulations previously mentioned in article twelve the following formation degrees must be considered:-

***First:*** The departments.

***Second:*** The divisions.

***Third:*** The units.

### **Article thirteen:-**

#### ***First:-***

The minister issues the necessary resolutions to organize the ministry, in away that suits the rules of this law including re assigning the working hands.

#### ***Second:-***

The public institution for health insurance and the rustic health are both annulled and the public institution for health services is responsible for implementing mentioned annulled institution law number 112 for the year 1975 and the regulations, instructions and statements issued under this law till another law is issued to replace it on the condition that it does not object with the rules of this law.

#### ***Third:-***

All the annulled formation's rights, and commitments or are overlooked in what concerns their connections, naming, or if they were joined to other departments according to the rules of this law are transferred and all the frozen assets in the budgets are transferred to the formations that have replaced it according to this law, or will replace it according to decisions made by the minister.

#### ***Fourth:-***

The work will continue with the financial and investment specializations and all the rights and commitments for the ministry and the formations that are related to it that were established before this law was issued are valid, also all the agreements, contracts and dealings specialized for these departments are valid.

### **Article fourteen:-**

#### ***First:-***

After the execution of this law all the laws, regulations and rules for service and retirement that were applied previously are still valid and are applied upon all the employees in the ministry and all their legal rights are safe kept according to the previous legislations.

### ***Second:-***

Excluded from the rules of section one of this article, all the employees in the public institution for health services and the public institution for constructing health projects are applied with the service rules which are applied in the public institution for medicine and medical requirements.

### ***Article fifteen:-***

It is permitted to issue regulations and instructions to facilitate the execution of this law.

### ***Article sixteen:-***

#### ***First:-***

The law of Madynat Al Tyib institution number (154) for the year 1970 is annulled and the regulations, instructions and statements are valid till they are amended, replaced or annulled.

#### ***Second:-***

The Ministry of Health's regulation number (7) for the year 1958 is annulled.

### ***Article seventeen:-***

This law is executed after (60) days from the date it is published in an official newspaper with consideration for the rules of the self ruling law number (33) for the year 1974 in the region of Kurdistan.

Saddam Hussein  
President of the Revolutionary Command Council



## **THE REASONS**

To develop the Ministry of Health devices according legislative curriculum of the seventeenth of July revolution the national and development and to increase its effect in high flexible, to achieve in this law the right of interesting in good social mental and good body , distributing the health services in all countryside to make all cities befit from medical fields .

And as we know the ministry works in system not suitable for the big development which the political headquarters for party and resolution health side.

This law has been issued

**Resolution number 73**



**In the name of the people**  
**The Revolutionary Command Council**

**B**ased on the national council issued according to fifty tow item from temporary constitution section (second) form forty seven of national council law no.55 for year 1980 and basing on rules of section (a) of forty tow item from temporary constitution. The headquarters revolution council in his holding meeting dated 17/1/1983 decided to issued this law:

**Law Number (9) for the year**  
**1983**  
**The public institution for**  
**medicine**  
**And medical requirement**

**Article one:-**

**First:-**

According to this law a general establishment for medicines and medical requirement is established and it is connected with Ministry of Health and titled establishment.

**Second:-**

The establishment has a significant properties with administrative and financial independence within law and special countable and financial system decided by administrative council which taking care of accountable system unit, all the accounts will be financial supervision council .

## **Article two:-**

### **First:-**

The establishment aimed to save medicine chemicals , confections requirements , medical equipment and chemical materials that entered in medicine and poison manufactured whether issued for medical and scientific or for another purpose by export from another country or manufactured in Iraq or participate in another manufactured for Arabic countries and distributed to the specialist side like medical government establishment and private .

### **Second: -**

The establishment achieves its aims as follows:

**A-** Exporting the new material and the half manufactured materials, the element materials and the industrial equipment from machine, devices and spare parts and the careered material which used in medicines manufactured and to the institutions and factories that related to it.

**B-** Get the private agencies and trading with the mentioned materials in first item 1 section from second item from this material to achieve this purpose.

**C-** Take the important arrangement to export everything that he country need it, such as medicines, chemical and scientific and medical requirement to achieve their purposes in first item except what is excluded in special law.

**D-** Opening warehouse and storage under name in different countryside with taking the pharmacist acceptance law no.112 for year 1960.

**F-** Opening pharmacies for teaching purpose with cooperation of the pharmacy college and notice the state of practicing pharmacy occupation law.

**G-** Opening medicine media office branches inside and outside the country.

**H-** Get the patent on an invention that achieving it purpose.

**I-** Establishment factories for manufactured the elementary materials and half materials covering for medicine manufactured purpose.

**J-** Participating in company and Arabic institution establishing to achieve its aim in this law.

**K-** Development agency to marking the producing inside and outside the country.

### **Article three:-**

The establishment specialized in these matters .

**First:-**Coordinate country office necessities socialist, private or public sector, for medical and medicine requirements and work to save it.

**Second:-**Coordinate with institution and formation related to it to achieve its purpose according program planning.

**Third:-** Put the basic rules to determined the pieces for every medicine chemical category and medical requirement secure the suitable price for the consumer pharmacies side with relation.

**Fourth:-**Putting special rules by establishing warehouse pharmacies, centered storage and branches, insurances it and arrange of relation between storage and private pharmacies to distribute secure.

**Fifth:-**Putting the rules which included definite personal side by saving consumer medicines, materials and medical requirements.

### **Article four:-**

**First:-**The establishment's capitalism consists of:-

**A) :-**

1:-The capitalism of the general manger for exporting and medicines distribution (folders) general managing for medical industries Samarra and the general managing for medical requirement and equipment or any other institutions attached establishment according to law rules.

2:-The participating of country to increase the establishment capitalist.

**B) –**The general and medicine distributing (deleting) it is the general established capitalism of medicine with spare before the issued of headquarter revolution council on (1202) at 3/11/1977 with its amount ten million dollars.

## **Second: –**

The establishment center has a special balance to cover the current cost facial amount which specialized to it in department balance and institution related to it.

## **Article five:–**

The establishment debts will be excellent debts.

## **Article six:–**

The institution has an administrative council to mange its affairs and setting the planning which achieve its aims.

**The administrative council consists of the following:–**

**First:–**The                      institution's                      manager.  
Manager

**Second:–**Dean of one of the pharmacology colleges  
appointed              by              the              specialized              minister.  
Member

**Third:–**General Manager of the public institution for  
medicine              manufacturing              in              Samaraa.  
Member

**Fourth:** General Manger of the public institution for  
medicine manufacturing in Baghdad.  
Member

**Fifth:-**General manger for medicines industries in  
Baghdad.

**Sixth:-**General Manager of the public institution for  
medicine marketing.  
Member

**Seventh:** –General Manager for public institution for marketing medical requirements.  
Member

**Eighth:** –General Manager for the public institution for installing medical requirements and their maintenance.  
Member

**Ninth:** –Manager of central medicine advertising office.  
Member

**Tenth:** –The pharmacist's chief-head.  
Member

**Eleventh:** –Two representatives of the workers appointed by the union council in the institution.  
Members

### **Article seven:-**

**First:** –The institution's administrative council performs its authorities to achieve its purposes, and these purposes are:-

**A)** –Setting the annual project budget for the institution.

**B)** –Approving final accounts for the institution, its departments and offices.

**C)** –Performing legal performances and trading deals to achieve the institution's purposes.

**D)** –internal and external debts according to the law.

**E)** –Defining the fees for the services performed by the institution.

**F)** –Accepting donations and charities according to defined rules

**G)** –Assigning employees and workers, defining their wages, setting special rules for their discipline and other administrative issues according to the laws, rules and regulations.

**H)** –Defining the institution's formation, and the departments related to it and opening new divisions for the institution's

departments and offices inside and outside the country, and changing the formation according to the work requirements.

**I) :-**Setting the rules for material and immaterial motives to encourage the invention capacity and rewarding them with bonuses.

**J) -**Seeking the help of Iraqi, Arab or foreign experts and technicians in the fields of execution, design and training in industries related to these institutions according to the laws and the regulations.

**K) -**Establishing consultative committees from amongst the council's members or other experts or technicians, and determining their specialties, rights and rewards.

## **Second: -**

The council has the right to authorize establishment manager some of his prosperity which state in the first item accept the statements in sections (a, b, c, d, e).

## **Article eight:-**

### **First:-**

The council convenes by an invitation made the general manager or one of his deputies at least once each month, or by a request made by half of the council members, and the council does not convene without the attendance of more than half of the council members and the decision are issued by the majority of attendees votes and when the votes are equal for both sides, the decision made by the party that included the general manager will be depended upon, the general manager can invite individuals to attend the council's assemblies if he finds that their expertise could be useful on the condition that they are not allowed to participate in the voting.

### **Second: -**

The minister has to lead the institution's administrative council's assemblies.

### **Third:-**

The council's decisions are submitted to the minister by the public institution's general manager to certify them within ten days from

the date they arrived at his office, the resolution made after this period and if the minister did not object to it is considered a certification, and if the minister not refused to certify it in this case the council's decision will be over looked again and if the council insisted on his decision he will submit it to the minister for a second time and if the minister insisted on his decision then his decision is considered conclusive, and the council's decisions are considered valid if the minister attended the assembly and approved them.

### **Forth: -**

The minister can impute upon the institution's general manger the authority to execute the council's decisions that are taken that he didn't attend, and this is applied in cases that require immediate execution, on the condition that the minister should be informed of the decision afterwards.

### **Fifth: -**

In cases of the manger's absence the assembly is led by the individual appointed by the minister.

### **Article nine: -**

The institution's general manger has the authority to perform the following:-

- A) -**Executing the council's decisions.
- B) -**Represent the institution in front of the courts and the concerning departments.
- C) -**Presenting periodical repots to the council about the work flow in the institution and its financial state, and he is also responsible for executing the institution's public policy defined by the council to achieve the institution's purposes.
- D) -**Practicing all the other rights that are authorized to him and imputed upon him by the administrative council.

**Second: -**The general manger can impute some of its authorities to the managers working in institutions related.



## **Article ten:-**

The institution's formation consists of the following:-

**First:-**The institution's center.

**Second:-**The institutions related to it:-

**A:-**The public institution for medicine manufacturing in Samara, led by the general manger its duties are to achieve the institution's purposes in manufacturing medicine, medical equipment's and cosmetics, buying and importing the needs for achieving this, from chemical materials, equipments and spare parts, and this institution replaces the public institution for medicine manufacturing.

**B:-**The public institution for medicine manufacturing in Baghdad and it is led by the general manger its duties are to achieve the purposes mentioned in paragraph (A) from section two (2) of this article.

**C:-**The public institution for medicine marketing, and it is led by the general manger, its duties are to import the medicine, products, medical requirements, chemical materials and lab materials, store them and distribute them on the related departments inside and outside the country, or storing, marketing and exporting medicine and manufactured products, and this institution replaces the public institution for importing and medicine distribution.

**D:-**The general institution for marketing medical requirements, led by the general manger and it includes buying and importing the medical requirements and supplying them to the governmental health institutions, and it has the right to sell these requirements to the privet sector who have the right to use and sell them according to the laws issued for this purpose, and this institution replaces the public institution for supplies and medical requirements.

**E :** –The general institution for installing medical equipment and their and maintenance, and it is led by the general manger, its duties are to install the medical equipment and provide them with maintenance and this institution replaces the engineering department that is related to the public institution for supplies and medical requirements.

### **Article eleven:-**

All the rights, obligations and commitments of the public institution for medicine and medical requirements is transferred to the institution.

### **Article twelve:-**

#### **First:-**

The institutions works by the annulled service rules applied in the economical institution and according to the instruction that are issued according to these rules.

#### **Second:-**

The hand by a suggestion made by the institution's administrative council and the president of the institution can perform the necessary amendments on the service rules that are previously mentioned in section one of this article with the approval of the finance minister.

### **Article thirteen:-**

The health minister is responsible for the supervision and the directing of the institution according to law.

### **Article fourteen:-**

It is permitted to issue systems and instructions to facilitate the execution of this law.

### **Article fifteen:-**

The law of the public institution for medicine and medical requirements number (158) for the year 1965, the Revolutionary Command Council's resolution number (746) issued on the twenty-third of may for the year 1971, the decision made by the Revolutionary Command Council number (444) issued on the twenty-eighth of june 1972 and the Revolutionary Command Council's resolution number (1202) issued on the third of

**november1977 are annulled and any statement that contradicts with the rules of this law cannot be applied.**

**Article sixteen:-**

**This law is executed from date that published in an official newspaper.**

**Saddam Hussein  
President of the Revolutionary Command Council**

**THE REASONS**

**Due to the great expansion in the performances of the public institution for medicine and medical requirements, that calls for performing changes in the institution's organizational formation and create new institutions as parts of the whole institutions, and these institutions are responsible for performing multiple duties in manufacturing, exporting distributing medicine, medical requirements and cosmetics.**

**This law is issued.**

*Nation Name*  
*Revolution Headquarters Council*

*Under the*

*Resolution no/1113*  
*Resolution date 3/10/1984*

**Based on the rules of section (a) from article forty-two from the temporary constitution, The Revolutionary Command Council's convening assembly dated the third of October 1984 decided the following:-**

**Issuing this law:**

*Law Number 58 for the Year 1984*

*The public institution for education and health training*

*Article one:-*

*First:-*

**According to this law an institution is established and it is named the (public institution for education and health training) its headquarters is in Baghdad, and it is connected with the Ministry of Health.**

*Second:-*

**The establishment has ideological properties, it is financial and administrative and has the right to dispose of money, lands and loans and practicing everything related to its benefit but within the limits of this law.**

**Article two:-**

This establishment aims to preparing health, nursing, clinic technical, ray branches and laborites and every thing related patient serve and to develop the employees' information in medical and health sector and distribute the health education understanding in Iraq.

**Article three:-**

Administrative council runs the establishment and it is consist of:-

***First:-*** Establishment's general manager      General Manager

***Second:-*** Deputy of the general manger.  
Member

***Third:-*** Representative from health minister their degree not less than general manger degree health minister employed them.      Members

***Fourth:-*** Dean of nursing college or assistance  
Member

***Fifth:-*** Representative of technical institutions and his degree is not less than technical institution dean health minister employed him.  
Member

***Sixth:-*** Representative of professional teaching and his degree is not less than general manger the manger of the establishment employed him.  
Member

***Seventh:-*** Representative of executive office to the national union of Iraqi student.  
Member

***Article four:-***

***First:-***

The council meets at least one time in month as an invitation from the general manger or his deputy. The decisions take by the mostly attending and when they equal in their decisions the side with the general manger decisions are taken.

***Second:-***

If any of the member absence from the meeting without any reason and this absence repeated at least three times the council should take a situation and informed the health minister in this result.

***Third:-***

All the decisions presented to the health minister to certified it and if it is not still in his office during ten days it is consider as certified and if the health minister refused any decision it must related to the council secondly with the health minister's notices and if the council insisted on its decision the health minister's resolution will be final.

***Fourth:-***

The council has the right to invite the experts and specialist to view the opinions.

***Article five:-***

The council practices this detection to achieve these aims:

***First:-*** Decides the establishment training and teaching plans and following with the implement.



***Second:-*** Decides the annual balance projects for the establishment.

***Third:-*** Decides established or united or deleting the higher health institution and recent or deleting its branches or its schools. We mean by schools (secondary nursing for boys and girls and nurses school and health sessions.

***Fourth:-*** Accept the conclusion accounts and the annual report for establishment activities.

***Fifth:-*** Accept the specialists, teachers and technical invitation from inside and outside of Iraqi and determined their prices.

***Sixth:-*** accept the specialists, teachers and officers invitation and their delivered and their resignation or their retire according to the general manger suggestions.

***Seventh:-*** Accept the supporting of the retirements whom they are medical and health occupations to benefit from their experts.

***Eighth:-*** Stopping the studies in these institutions, schools partially and totally for period not less than seven days .and take the minister agreement for more than this period and the health minister should be informed in these decisions.

***Ninth:-*** Accepts to engage wholly in scientific for establishment's employers and the scholarships and go for training and practicing by the establishment's decisions.

***Tenth:-*** Accept to go abroad for training and practicing the schools and institution students that related to the establishment.

***Eleventh:-*** Formed committees for institution and schools of one specialist in order to present their opinions and suggestions.

***Twelfth:-***

Accept the instruction that related to the follows:

***A-*** Formations of establishment, institutions and schools.

***B-*** Encourage translation and publishing.

***C-*** Properties, gifts and prizes for establishment, institution and schools employee.

***D-*** The consent of the student conditions in institutions, schools, interior departments and examination rules.

***E-*** Everything related to administrative, technical and scientific in the establishment and the schools that related to it.

***Thirteenth:-*** The general manger and his authority.

***Article six:-***

***First:-*** General Manger appointed by a republic decree and he has experts and specialist and he will be in special decree.

***Second:-*** General Manger appointed deputy from individuals with expertise and specialties not less than the general manger.

***Third:-*** appoint dean to the institution who has expertise and specialties by republic hierarchy, not less than the general manger's hierarchy.

***Fourth:-*** The school manger is appointed on the ministry's instruction based on the general manger's selection.

**Article seven:-**

General manger of the establishment is the higher manger of the establishment and he issued instruction, decisions and announcement under his named. And he represent the establishment in the court, legal committees, state offices and socialist sector and he has the authority to authorized others and presidents formation establishment , institutions and schools according to work requisitions and non central implement.

**Article eight:-**

General manger of the establishment makes the following:

***First:-*** Implement the council decisions.

***Second:-*** Repairing the establishment plans.

***Third:-*** Repairing an annual balance of the establishment and its owner and the final report for its conclusion accounts and annual reports about its activities.

***Fourth:-*** Accept the appointment of teachers and officers of forth degree and less than this degree and the annual increasing and wages, registration and their retirements.

***Fifth:-*** Making contracts and the amount not more than ten thousands in every contract.

***Sixth:-*** Addressing the ministers and all the officers immediately.

***Seventh:-*** Suggesting the assigning of school mangers and appointing their assistances when they are absent.

**Article nine:-**

Applied on the employees of the establishment whom the have member's conditions of teaching institution rules, system and instruction that applied on teaching staff members in technical institution establishment.

**Article ten:-**

The establishment free from taxes and the profits that gives to teaching staff according to the technical institution establishment works.

**Article eleven:-**

***First:-***

The balance of the establishment consists of the establishment center balance, health higher institution and schools related to it.

**Article twelve:-**

The debts of the establishment consist of excellent debts and get according to the governmental debts getting.

**Article thirteen:-**

Excluding from taxes and taxes added to materials, films printers that are exported to achieve establishment purposes.

**Article fourteen:-**

Applied on the establishment employees excluding the members that mentioned in item -9- from this law the services rule in economical establishment (deleting) and the administrative council has the right to put additional address in serving rules attaches that suitable with occupation in the establishment, institutions and schools related to it according to high and down limits of these occupations.

**Article fifteen:-**

The establishment attaches with the following:

***First:*** The higher health institutions.

***Second:*** Secondary nursing for boys and girls.

***Third:*** Nursing schools.

**Article sixteen:-**

***First:-***

The employees of the general institution for teaching and health training (deleting) and institutions and schools that mentioned in this law item -15 – consider delivered to the establishment and they kept their rights.

***Second:-***

Delivered all the rights of the general institution for teaching and health training and the statement (the general establishment for teaching and health training)

instead of it everywhere its found in laws and resolutions and systems of Revolution Headquarters Council.

**Article seventeen:-**

The court preventing frame acceptance of complaining against the establishment, institutions and schools related to it or everything concerning acceptance of transferred, exams, punishment, secure of the student and failure only the establishment has the right in these matters and the instructions determined by general manger according to the administrative council decisions.

**Article eighteen:-**

It is not permitted to apply rules that contradict wit the rules of this law.

**Article nineteen:-**

It is permitted to issue systems to facilitate executing the rules of this law, after gaining the approval of the administrative council.

**Article twenty:-**

This law is executed from the date it is published in an official newspaper.

**Saddam Hussein  
President of the Revolutionary Command Council**

## **THE REASONS**

**Due to the expanding and with the opening of health establishments and combined with the development national plan that the Iraq has seen after the 17 -30 July socialist nationalized revolution that aimed to base the health human principle and request the necessity of the establishment in all of Iraq and the nursing staff and level requirements with the cons rate of legal side in repairing it and rise up the capacity of the workers in the medical health occupations and distributing the health teaching conceptions among citizens.**

**This law is issued.**

**Resolution number 1437**

*In the name of the people  
The Revolutionary Command Council*

**Based on the rules of section(a) of article forty-two from  
the temporary constitution.**

**The Revolution Headquarters Council in its meeting  
dated 29/12/1975 decided:**

**Issued the following law**

**The law  
Number (211) for the year 1975**



## *The public institution for health insurance and rural health*

### *Article one:-*

#### *First:-*

According this law an institution is established and it is named (The general institution for health insurance and rural health) and Baghdad will be its center, and it is connected with the Ministry of Health in order to present health services for citizens.

#### *Second:-*

The establishment has a legal personality and administrative, financial independence and has the right to get the delivered money , owned lands and any other rights that any establishment of general benefit has and practicing all legal authorities that do not contradict with its aims. And it can own whatever lands it needs without fees according to law.

#### *Third:-*

The establishment aims to generalize the health insurance for citizens in the country and raise their health level especially in the countryside.

### *Article two:-*

*First:-* The establishment puts an annual curriculum and a plan to imply its project, and it will be legal after the minister certifies it.

*Second:-* The establishment works with all means to achieve the law rules with the cooperation of the health administrative and formal and informal offices, and we mean by the health administrative the Ministry of Health,

the establishment of the general institutions related to it and the health managers in the countryside.

**A-** Establishing clinics and pharmacies and health insurance storage and advisor clinics, health establishment in all country and supply them with whatever they need of handworkers, medicine and general materials, furniture and others.

**B-** Establishing hospitals, central medical clinics, main health center, its branches and cars with all its devices (ambulances) within the plans of the ministry to establish an institution he is responsible for and the Ministry of Health has to administrate it after the agreement of the establishment.

**C-** Implement projects and workers including the general plan that the health administrative put, to raise the health level in countryside with the cooperative of formal sides and nation workers in countryside.

**D-** The mother and child cares and student's health. Raising the nutrition level and take care with the environment and health.

**E-** Education.

**F-** Strive against the epidemiological diseases and prevention against them according to the general plan that is set by the medical administration with the cooperation and coordination of other officers that related to it.

### **Article three:-**

#### ***First:-***

The establishment's administrative council and the advisor on the establishment's affairs set the general policy and take the decisions.

### ***Second:-***

The council consists of:-

***A-*** General manger of the establishment general manger

***B-*** The Deputy manger.

***C-*** Members with expertise and specialties in work affairs and health countryside and health insurance ,their numbers not less than five and not more than four members.

### ***Third:-***

***A-*** General manger and his deputy and members appointed by republic president.

***B-*** It can be allowed vacation some members on council's work by minister's decisions.

***C-***The annual profits of the general manger, the deputy and the members are determined by the republic's president.

***D-*** Some of council members are devoted to work in the establishment by the minister's decision.

***E-*** The annual profits that are given to the general manger, his deputy and members are determined by the republic president's decisions, according to this law.

### ***Article four:-***

#### ***First:-***

General manger runs the members invitation to the meeting and if he is absent his deputy runs that.

#### ***Second:-***

The staff is considered complete if the meeting is attended by most of the members and on the condition that the general manger and his deputy are with them.

#### ***Third:-***

All the resolutions issued by the attendees votes and when its equal the resolution is in favor of the party that includes of the general manger.

### **Article five:-**

#### ***First:-***

General manger runs the following missions :

**A-** Representative the establishment in front of the court and formal and informal offices and any other side.

**B-** Runs the work of the establishment. And council's instructions

**C-** Implementing the council's resolutions.

**D-** Ordering to spend an amount determined by the council and within the balance.

**E-** Issuing the administrative instructions to secure the work operation in the establishment.

**F-** Preparing the balance projects and the concluded accounts and presenting them to the council to approve them.

#### ***Second:-***

The checks and the accounts must be signed by the general manger's signature or by the signature of the person he authorizes and the auditor.

#### ***Third:-***

The general manger has the right to authorize his deputy or any member of the establishment to do his missions.

### **Article six:-**

#### ***First:-***

The establishment requests the support of the establishment agencies and organizations which relate to it inside and outside the country to do its missions and it can seek the help of the Iraqi and foreign experts and

specialists according to the conditions that are accepted, and determine the salaries that are paid to them according to the services they present.

***Second:-***

The workers can be delivered from other offices or establishments to the establishment.

***Third:-***

They can seek the temporary help of the employer of formal and informal offices by the agreement of the republic's president, and their wages and salaries are paid from their offices.

**Article seven:-**

***First:-*** The establishment assigns its employers Iraqi and foreign.

***Second:-*** Determines the establishment formation and how to run its affairs by interior system and the minister certifies it, and it is published in an official newspaper.

***Third:-*** Employers, officers and Iraqi workers are applied to the rules of the civil services, the promoted system and work system, and their services are considered finished and it is allowed give them additional profits to their work wages determined by the council's decisions.

***Fourth:-*** Defining the foreign contracts according to law.

**Article eight:-**

The financial establishment consists of:

***First:-*** Rural health establishment services will be valid until this law is issued.

***Second:-*** A health annual hierarchy is set, with one dinar amount taken from employers And half a dinar during the July month of every year from every employees still working permanently in the establishment , formal and informal offices and the social sectors and it will be taken from their wages.(1)

***Third:-*** Incomes of clinics, pharmacies, storage's and hospitals that related to the establishment.

***Fourth:-*** The incomes of the establishment prosperity's.

***Fifth:-*** The annual balance arranged it the administrative council establishment including the cost and incomes of year certified by the financial ministry and it will be part from the adding balance.

***Article nine:-***

***First:-*** The establishment has a balance that contains the incomes and spends for every year and the general balance will be attached to it.

***Second:-*** The accounts arranged under instructions putting by the council.

***Third:-*** The council appoints an auditor and determines his wages to audit accounts of the establishment and present annual reports to the council.

***Fourth:-*** All the procedures and financial matters in the establishment are submitted to financial supervision.

***Fifth:-*** Repairing the conclude accounts of the establishment in the final financial year and presenting it to the council with the auditing report during period not more than four years from the final year which the balance related to.

**Article ten:-**

The establishment must not apply the law of profits arrangement of the informal establishment no. (83) for the year 1968 or any law that contradicts with this law.

**Article eleven:-**

The council runs these missions:

- 1- Sets the annual curriculum and plans for projects implemented in the establishment
- 2- Decides the balance and concluded accounts and among distributions in the balance's units and their materials.

**E :** The injection fees.

**F :** The operation fees.

**G :** The radiation and lab examinational fees and others.

### **Article fourteen:-**

**First:-**The physician and dentist including in the rules of this law special profits not less than (25%) from their salaries and not more than (200%).

**Second:-**The pharmacists including in the rules of this law special profits not less than (25%) from their salaries and not more than (100%).

**Third:-**The technical and non technical that including in rules of workers law in health assurance to profits not less than (50%) from their salaries.

**Fourth:-**Determined the instructions that the council put it in percentage profit section (1,2,3) from this item.

**Fifth:-**The establishment's council in necessities including the workers in the general establishment of health assurance and countryside health and central health in countryside according to rules in sections (1,2,3) from this item after preventing them from occupation practicing and engage wholly to the works of health assurance.

**Sixth:-**The establishment determined the instructions that the council put a definite number for the patient that compare every surgical operation or any other treatment in order to account the daily average for monthly treatment and the profits percentage in case not giving the physician profits.



**Seventh:-**The establishment paid a cash amount (the complete or partial wages) for physician and other workers in private hospitals that runs by the establishment of the medical works and determined the amount percentage and who to pay it according to the instructions that the council put it.

**Eighth:-**The establishment has the right to spend cash prizes for the workers that get it in return of their works to encouraging and appreciate to determined their prizes and how to spend it under the council's instructions.

**Ninth:-**The profits paid and the amounts mentioned in this item from establishment's balance.

**Tenth:-**If the establishment agreed the physician works including rules of this law outside the formal workhouse in one of companies and private and governmental establishments, his wages paid according to the council's instructions.

**Eleventh:-**The health assurance profits give it when they including in rules of this items (1, 2, 3) with normal and sick vacation for period not more than thirty days annually.

## **Article fifteen:-**

### **First:-**

Excluding physician, dentist and pharmacies work in health assurance clinic from rules of law officers and employers country profits no.(93) for year 1967 and its reparations.

### **Second:-**

The health insurance fees are excluded according to this law to the income taxes.

## **Article sixteen:-**

### **First:-**

All the employers, recruiters and workers in the institution for rural health services are transferred to the public institution for health insurance and rural health.

### **Second:-**

All the moveable assets, the properties, the rights of the institution for rural health services and its obligations are transferred to the public institution for health insurance and rural health.

### **Third:-**

The institution is exempted from taxes and fees.

## **Article seventeen:-**

The individual who violates the rules of this law will be punished by paying a fee amount not less than one hundreds dinars and does not exceed three hundred dinars, or he may be punished with imprisonment for a period not less than one month and does not exceed three months, or he maybe punished with both punishments.

## **Article eighteen:-**

It is permitted to issue regulations, instructions and statements to facilitate the execution of this law.

## **Article nineteen:-**

### **First:-**

The law of health insurance in the countryside number 131 for the year 1963 and its amendments are annulled, the instructions and systems issued according to this law are valid till they are amended or annulled.

### **Second:-**

Not working with the legal statement that rejected with the rules of this law.

## **Article twenty:-**

This law is published in an official newspaper, and the specialized ministers are responsible for executing its rules.

Ahmad Hussan Al-Bakir  
The President of the Revolutionary Command Council

## **THE REASONS**

According to what comes in the political reports of regional conference eighth for Arab Baath Socialist Party with the necessity of rising up the level of health services for citizens and in order to expansion the including of health assurance application in our country and viewing the great suggests that the health assurance law achieving it no.131 for year 1963 and its reparation and for the purpose of uniting this mentioned law and its big reparations. In one law and to achieve the development that happened from the day of its issued and will continued in future.

This law is issued.

## **Resolution no.1188**

**In the name of the people  
The Revolutionary Command Council**

**Based** on the rules of section (a) of article forty-two from the temporary constitution and the decision made by the Revolutionary Command Council in his convening assembly dated the twenty-seventh of February 1970.

The following law is issued:-

**Law number (192) for the year**  
**1970**

**The Public Medical Clinics Law**

**Article one:-**

The following terms according to this law, mean:-

**First:-** The Clinics --The public medical clinics.

**Second:-** The higher institution --The higher institution for the public medical clinics.

**Article two:-**

The higher institution for public medical clinics has a legal personality, financial and administrative independence, and a special budget for its incomes and expenditures and has the right to own lands and is represented by the clinic's manager in its relationships with official and semi official offices, institutions, courts and individuals.

### **Article three:-**

The higher institution consists of members, their number does not exceed nine members including the president of the institution, and they are appointed by the Revolutionary Command Council's decision, on the condition that the following individuals are included with the members:-

- 1) Representative of the pharmacist's Union.
- 2) Representative of the physician's Union.
- 3) Representative of the medical professionals Union.
- 4) Representative of the general institution for medicines.

### **RESOLUTION**

Based on the rules of section (a) of article forty-two from the temporary constitution, the Revolutionary Command Council in his convening assembly dated the eleventh of March 1985 decided the following:-

### **First:-**

The higher institution of public medical clinics (that is stated in article three of law number (192) for the year 1970, is established as followed:-

- |  |          |
|--|----------|
| 1- The Health Minister .   | Minister |
| 2- The physician's chief head.   | Member   |
| 3- The dentist's chief head.   | Member   |
| 4- The pharmacist's chief head.  | Member   |
| 5- The manger of the public union for social services.                         | Member   |
| 6- Manger of the general institution for health services.                      | Member   |
| 7- Manger of the general institution for medicines and medical requirements.   | Member   |
| 8- Representative of the medical issues department in the ministry of defense. | Member   |
| 9- Manger of the public medical clinics.                                       | Member   |

## **Second: -**

The Ministry of Health is responsible for executing this decision.

Saddam Hussein  
Revolution Headquarters Council President

## **Article four:-**

The purposes that the clinics are established for are, providing heath care and heath services for the Iraqi citizen and salvaging him from exploitation and greediness and this is accomplished by examining him a proper medical examination and preparing him for the necessary treatments in insignificant costs, and the higher institution to achieve this has to perform the following:-

**First: -** To obtain the necessary requirements of medicines, medical chemical requirements, constitutional products and others from the public medical institution, from the public medical supplying department in the Ministry of Health and from the

general company for manufacturing medicines and chemicals in Samara, and distributing it on clinics.

**Second:** –Taking the necessary arrangements to provide the clinical needs from medicines and medical requirements to perform the preventive and treatment services.

**Third:** –Requesting from the general company for medicine manufacturing in Samara, to prepare the specialized medicines and products for the company's own account.



### **Article five:-**

**A:-** The higher institution is the department responsible for establishing and managing the clinics all over Iraqi, and it is not permitted for any other departments open public clinics or to interfere in its administrative affairs, and the higher institution is responsible for planning and executing the public policy for the clinics and making the required decisions to achieve its purposes especially in the following issues:-

**First:-** Approving the clinic's annual budget on the condition that the financial year starts on the first of April every year, and ends on the thirty-first of March in the year that follows it.

**Second:-** Approving the final accounts for the previous budget, and approving the accounts for the profits and for the losses.

**Third:-** Determining the fees for the services preformed by the clinics.

**Fourth:-** Determine the working staff of each clinic and appointing the workers, defining their wages and all that is related to their services and their discipline and this is achieved by establishing a special system.

**Fifth:-**

The salaries and wages granted are exempted according to this law from incoming taxes.

**B:-** The higher institution has the right to impute upon the clinic's manger some of its specialties.

### **Article six:-**

**A:-** The higher institution convenes by an invitation made from the clinic's manger every week, a periodical assembly and if the request was made by three of the clinic's members and the quorum is not complete only if two-thirds of the members were present and all the decisions are issued with the majority of the votes made and if the votes were equal the decision made by side which the manger or whoever represents him voted with shall be accepted.

**B:-** The institution can formed temporary and permanent committees it can be specialists and bring the devices that achieve the purposes.

**C:-** If any of the member absence from the meeting more than three times without any reason they will consider him resignation from institution members.

### **Article seven:-**

The higher institution's finance consists of the following:-

**First:-** Whatever the Revolutionary Command Council decides as a fixed annual aid for the institution.

**Second:-** Donations, contributions, testaments and endowments.

**Third:-** The examinations, treatments and lab analyzing fees will and others, defined by the higher institution.

### **Article eight:-**

**A:-** The clinics accounts are submitted to the monitoring of the financial monitoring divan.

***B:-***The clinic's monetary assets are deposited in one of the Iraqi banks under the higher institution's name, and money is withdrawn from these accounts by authorized individuals according to the instructions issued by the higher institution.

***Article nine:-***

The higher institution money is invested either in buying shares , giving loans to the government and providing stocks, bonds and loans to the companies that the government participates in. And it loans money with a considerable to the departments defined by the higher institution, or the higher institution may deposit its money in one of the Iraqi banks under the conditions and percentages approved by the institution.

***Article ten:-***

The higher institution can own the state-owned lands it requires without a fee, in order to achieve its purposes.

***Article eleven:-***

The stamp fee is not applied upon the clinic's deals, and the income tax is not applied upon the clinic's incomes.

***Article twelve:-***

It is not permitted to confiscate or sell clinics due to over paid debts.

***Article thirteen:-***

In collecting the clinic's debts, the law of collecting governmental deserved debts is implemented.

#### **Article fourteen:-**

All the institutions related to the Ministry of Health are obligated to provide free health services for the patients transferred to them by clinics and not obligate them to present a poverty certificate in the following situations:--

1. A request to perform the examinations by the specialists that work in governmental health institutions.
2. A request to perform a surgical operation.
3. A request to perform lab tests and radiation tests.
4. A request to admit patients in governmental hospitals.

#### **Article fifteen:-**

It is permitted to issue resolutions and instructions to facilitate the execution of this law.

#### **Article sixteen:-**

The legal statements that contradict with the rules of this law are not applied and these statements have to be amended according to the rules.

#### **Article seventeen:-**

This law is executed from the date it is published in an official newspaper.

#### **Article eighteen:-**

The ministers should execute this law.

Written in Baghdad on the twenty-fifth of Rajab for the year 1390 Hijiria , dated the twenty-sixth of august for the year 1970.

Ahmad Hassan Al-Bakir  
Revolution Headquarters Council President

**Resolution Number (90)**

Based on the rules of section(a) of article forty-two from the temporary constitution.

The Revolutionary Command Council in his Convening assembly dated on the twenty-fifth of january1975 has decided the following:-

***First:-***

The public medical clinics established according to law number (192) for the year 1970 are connected to the Ministry of Health.

***Second:-***

The Ministry of Health can make the necessary steps to divert public medical clinics to consultative committees in the areas that include health insurance.

***Third:-***

The health minister and the president of the public medical clinics higher institution are responsible for executing this resolution.

Ahmad Hussan Bakir  
President of the Revolutionary Command Council

***Number (1143)***

Based on the rules in section(a) of article forty-two from the temporary constitution.  
The Revolutionary Command Council in his convening assembly dated on the twenty-fourth of october1975 has decided the following:-

***First:-***

The statement (clinic manger) replaces the statement (general supervisor) wherever it was mentioned in the amended public clinic law number (192) for the year 1970.

***Second:-***

Section three from article one of the mentioned law is omitted.

***Third:-***

The statement (the general supervisor has the right to invite anyone who he finds has useful expertise to attend the higher institutions assemblies but he should not have the right to vote) that is mentioned in the end of section (a) of article six is omitted.

***Fourth:-***

Based to the higher institutions suggestion the health minister when necessary can order any medical or health professional to work in clinics in the same areas that they work in for a period that does not exceed one year according to the rules of the public medical clinics law.

***Fifth:-***

The public medical clinics office is connected with the Ministry of Health from the technical and administrative angles and the ministry has the right to supervise and monitor financially on the office mentioned above.

***Sixth:-***

Any resolution that contradicts wit the rules of this law is annulled.

***Seventh:-***

The specialized ministers are responsible for executing this law.

Ahmad Hassan Al-Bakir  
President of the Revolutionary Command Council

*Law number (99) for the year 1970*  
*The Medical Hierarchy Law*

*In the name of the people*  
*Republic Presidency*

Based on the rules of section(c) of the amended article fifty from the Temporary Constitution and according to the health minister's presentation and the Revolutionary Command Council decisions:-  
We issued this law:-

### **Article one:-**

The following terms that are mentioned in this law mean:-

1. The minister –The Health Minister.
2. The ministry --The Ministry of Health
3. The educational hospital – The hospitals prepared for educational and training purposes.
4. The main hospital – The hospital that contains the specialists and trainees in the main medical subjects or its branches.
5. The Consultative Committee – The established committee that is led by the Ministry of Health representative and the membership of one representative from the each ministry of higher education and scientific research, the public department for managing social affairs in the self ruled region and the physicians union.
6. The appointment – And it consists of employing and recruiting with a monthly salary, daily wages or monthly fixed wages.

### **Article two:-**

The duties of the consultative committee are as followed:-

***First:-*** Hospital categorizing.

***Second:-*** Preparing lists for districts and the countryside (remote from the province centers) that are defined for the purpose of implementing this law.

***Third:-*** Preparing a special system after consulting with the individuals responsible for managing various medical branches to set the period of time required for training, and preparing the necessary programs.



***Fourth:-*** Supervising the implementation of the training programs.

***Fifth:-*** Studying the decision of changing the training programs and assigning physicians in hospitals for training reasons.

***Sixth:-*** Observing the decision of assigning the physicians in the districts, the countryside and mobile infirmaries.

### **Article three:-**

#### ***First:-***

This law is applied on:-

***A:-*** The physicians that graduate after its execution (excluding the physicians who graduated on payments made by the ministry of defense).

***B:-*** The individuals included in the amended law number (159) for the year 1963.

#### ***Second:-***

The physician (whether he graduated from an Iraqi medicine college or a recognized foreign college) is appointed as a regular resident for the period of one year (before the military service) in educational or main hospitals across the country, that are provided with technical facilities for training on main medical branches and its subjects.

#### ***Third:-***

The physicians that the consultative committee agrees to their training in main scientific branches for a period that does not exceed a one year period are exempted from periodical residential service, and join the military service on the condition that they commit to the training and service for a period that does not exceed five years and if they break the commitment the rules of section two of this article will be applied upon them in addition to the commitment payment mentioned.

## **Article four:-**

### **First:-**

The physician's spends the periodical residential period in training for the period of:-

1) - Three months for each of the following subjects:-

**A)** - General surgery.

**B)** - Internal diseases.

**C)** - Gynecology diseases.

2) - Three months in one of these subjects:-

**A)** - Ophthalmology diseases.

**B)** - Otolaryngology diseases.

**C)** - Dermatology diseases.

**D)** - The health of children and child diseases.

**E)** - Chest diseases.

**F)** - Neurology and mental diseases.

**G)** - Contagious diseases.

**H)** - Public health branches.

**I)** - The branches that the committee decides to add.

**Second:-** Excluding from the rules of section one of this article, the physician who spent his periodical residential period in the branches mentioned above for the same period of time mentioned also, but it was preformed in hospitals outside the country on the condition that official documents have to be presented to confirm this. And the physician is also excluded if he has obtained a recognized scientific degree that qualifies him for the specialization title.

## **Article five:-**

### **First:-**

The physician after completing his periodical residential period he must serve in the districts and the countryside according to the rules of section (2) of article two, or in mobile infirmaries for a period not less than one year then he is transferred to the place that the ministry assigns him to.

### ***Second:-***

The retired physician joins with an official office other than the Ministry of Health or with a semi official office after he completes his periodical residential period and his services in the district, the countryside or in mobile infirmaries.

### ***Third:-***

The following physicians are exempted from performing services in the districts, the countryside and in mobile infirmaries:-

***A:-*** The physician who is engaged wholly in teaching the main medical scientific branches on the condition that he must serve in the districts and the countryside when he leaves the work in these mentioned departments within a five year period.

***B:-*** The physicians who trained in one of the ??? branches or main medical scientific branches for a period not more than one year and served in these branches for a period not less than five years, and if he leaves the training or refused to perform the services in these mentioned branches in the limited period, or failed to meet one of the conditions that he had committed upon with the ministry, he will be assigned to serve in the districts and the countryside in addition to paying the mentioned commitment amount.

### ***Article six:-***

#### ***First:-***

The physician who is not included with the rules of the supplementary law for the health insurance law in the countryside, can practice the profession after official working hours in the place that he is assigned in only, according to the rules of section one of article five from this law.

#### ***Second:-***

The physician gets a profit amount between 25% to 40% of his salary during his service in the districts and the countryside.

**Article seven:-**

***First:-***

The physician after completing his periodical residential period and his service in the districts, the countryside and in mobile infirmaries can choose any medical branch he wants to train on from the branches defined by the consultative committee, and according to the number of individuals defined for each branch depending on the branch's needs, on the condition that the priority must be given to the subjects and reports presented on his behalf by the medical branch managers in the hospital that the physician spent his periodical residential period and the results of the exams preformed by the medical universities.

## **Second: -**

The physician who doesn't have the desire for training in the mentioned medical branches, will continue his work as a general practicing physician in the place that the ministry defines, excluding the districts and countryside in the lists mentioned in section (2) from the second article in this law, and the mobile infirmaries are not included also only by his desire.

## **Third: -**

Training physicians in various medical branches is preformed by the means defined according to a special system.

## **Article eight:-**

The medical degree law number (159) for the year 1963 and its amendments have been annulled, and it is not permitted to apply any law that contradicts with the rules of this law.

## **Article nine:-**

It is permitted to issue regulations and instructions to facilitate the execution of this law.

## **Article ten:-**

This law is executed from the date it is published in an official newspaper.

## **Article eleven:-**

The ministers should execute this law.

**W**ritten in Baghdad on the twenty-sixth of Safar for the year 1390  
Hihiri, dated the second of May for the year 1970.

Ahmad Hassan Al-Bakir  
President of the Revolutionary Command Council

## **THE REASONS**

Viewing to what deficiency was noticed when implementing the amended medical hierarchy law number (159) for the year 1963 and the necessity of issuing a new one instead of it, to make up for the mentioned deficiencies, achieve the requirements of the health institutions in our country and be abreast with the aims of the seventeenth of 17 July revolution.

This law has been issued

## *The Resolution No.849*

*In the name of the people*

*The Revolutionary Command Council*

**B**ased on the rules of section(a) of article forty-two from the temporary constitution and according to the presentation made by the health minister.

The Revolutionary Command Council in its convening assembly approved the following law:-

*Law number (99) for the year 1971*

*The supplementary medical hierarchy law*  
*number 99 for the year 1970*

### *Article one:-*

A representative of the dentists Union is added as a member to the consultative committee when assigning the dentists or discussing issues which concern them.



## **Article two:-**

### ***First:-***

This law applied upon graduated dentists after its execution, excluding the dentists who graduated on payments made by the ministry of defense.

### ***Second:-***

The dentist who graduated from an Iraqi college or from a recognized foreign college is appointed in clinic compounds (And these clinics mean according to this law-- the clinics specialized in dentistry, that include a number of dentists who work in different branches of dentistry), or they are appointed in the province centers hospitals that contain dentist institutions for a period of one year for the purpose of training.

### ***Third:-***

The dentists after completing the training period according to section (2) of this article will join the military service.

### ***Fourth:-***

All the dentists who are not included in the military service (exempted or postponed) will join the health insurance clinics in remote areas for the period of two years.

### ***Fifth:-***

The dentists after completing their military service will be assigned to work in the health insurance clinics in remote areas for a period not less than one year.

### ***Sixth:-***

The dentists after completing their services will be assigned to work in remote areas, province centers or in the areas that have

standards similar to the province centers standards (and this is defined according to instructions issued by the consultative committee) or they are assigned to the places that they want to work in according to sections (2, 3, 4, 5) of this article.

### ***Seventh:-***

The dentist after completing the training period mentioned previously in section two of this article and after completing the obligation service can choose the branch of dentistry in which he wants to train from the dentistry branches defined by the consultative committee, based on the number of dentists defined for each branch according to the needs of the branch, on the condition that the priority is given to the reports that are in his favor which are provided by the medical department managers who work in the hospitals that he spent his training period and he must exclusively be from the first quarter of chosen dentists and not including by the Revolutionary Command Council's Resolution number 355 dated on the first of april 1976 after connecting him with a contract that obligates him to serve for the period of five years in the branch that he chose to train in and if anything opposes this, the rules of the previous sections they (2, 3, 4, 5) will be applied upon him.

### **Article three:-**

#### ***First:-***

The retired dentist joins with other than the Ministry of Health and the colleges, for example he joins with official and semi official offices that he contracts with.

#### ***Second:-***

The dentist is exempted from performing services in the districts, countryside and mobile infirmaries if they are engaged fulltime in teaching in the Iraqi dentistry college departments, on the condition that he serves in the districts and countryside if he leaves work in the mentioned departments within five years from the date that he was appointed to work in these departments.

#### ***Third:-***

The dentists are exempted from serving in the districts and the countryside (remote places) if they are engaged fulltime in teaching in the dentistry college departments, and these dentists are appointed by the ministry of higher education and scientific research on the condition of serving in the districts and the countryside when they leave their work in these departments within a period of five years from the date that he was appointed to work in these departments.

#### ***Fourth:-***

It is not allowed to appoint in the dentistry college for a fulltime job any dentists if a period of two years has not passed his graduation date.

### **Article four:-**

#### ***First:-***

The dentist not included by the rules of the supplementary law for the health insurance law in the countryside, can practice his profession after working hours in a special clinic in the area in

which he works according to section (2) of article three from this law.

***Second:-***

It is not permitted for any dentist appointed in the dentistry college to open a special clinic during the first three years from the date that he was appointed.

***Third:-***

The dentists who graduated from foreign dentistry colleges are exempted from the rules of the medical degree law if their original profession practice period after their graduation from abroad was not less than five years.

**Article five:-**

The rules of article seven from the medical hierarchy law number 99 for the year 1970 are applied on the dentists who have completed their services in the districts, the countryside and mobile infirmaries.

**Article six:-**

This law is executed after it is published in an official newspaper.

**Article seven:-**

The ministers should execute this law.

**W**ritten in Baghdad on the twenty -second of Rabee Al- Thaneer for the year 1391, dated the fifteenth of June for the year 1971.

Ahmad Hassan Al-Bakir  
President of the Revolutionary Command Council

## *THE REASONS*

Viewing to the necessity of enacting a law to organize the performances of the dentists when they practice their profession and their training after their graduation to achieve the requirements of the health institutions in the country, and these requirements are abreast with the aims of the seventeenth of July revolution.

For these reasons this law has been issued.

*A special Resolution*

**Resolution number 174 on the First of**  
**February 1982**

Based on the rules of section(a) of article forty-two from the temporary constitution.

The Revolutionary Command Council in its convening assembly dated on the first of february 1982 decided the following:

***First:-***

Considering the reserving service in the army for the reserving officer who has ended the compulsory military service, a productive service for degree laws purposes that is related to serving in remote places if ministry of defense confirmed that the reserved officer served is in places that can be describe as remote places according these laws.

***Second:-***

The rules that mentioned in section (1) of this rule are applied on public army fighters who participated in Alsharraf battle outside the regional borders, and the specialized departments confirm if the period that they spent in the service is similar to the service required in remote places.

Saddam Hussein  
Revolution Headquarters Council President

*In the name of the people*  
*The Revolutionary Command Council*  
*Resolution no/162*  
*Resolution date 1/28/1982*

Based on the decisions made by the national council according to article fifty-two from the temporary constitution and section two of article forty-seven from law number (55) for the year 1980. And based on the rules of section (a) of article forty-two from the temporary constitution.

The Revolutionary Command Council in its convening assembly dated on the twenty-eighth of january 1982 approved the following law:-

*Law Number (15) for year /1982*  
*The Pharmacist's Hierarchy*

*Article one:-*

A consultative committee is established, and it is led by the representative of the Ministry of Health and the membership of one representative from the higher education and scientific research ministry, the public union for social affairs, the public institution for health services and the pharmacists union, and their duties will be as followed:-

*First:-* Hospital categorizing.

*Second:-* Preparing a list that consists of the districts and the countryside (the areas that are included with health insurance) and the districts and countryside that are considered in the same level as the provinces for the sake of implementing the rules of this law.

***Third:-*** Observing the implementation of the training programs.

***Fourth:-*** Considering changing the training programs, and the distribution of pharmacists on hospitals, labs, institutions and medicine factories for training reasons.

***Fifth:-*** Considering assigning pharmacists to districts and to the countryside.

**Article two:-**

***First:-***

The Pharmacists who graduate from an Iraqi pharmacology college or from a recognized foreign college are appointed in main hospitals, labs, unions and medicine factories for the period of one year for training purposes, as followed:-

***A-*** Four months in main hospitals.

***B-*** Four years in public health labs and unions that relate to the Ministry of Health in the province centers.

***C-*** Four months in medicine factories defined by the Ministry of Health.

***Second:-***

The Pharmacist joins after completing the training period according to section one from this article, with the military service.

***Third:-***

The pharmacists who are postponed, exempted or excluded from the military service, join the health insurance clinics in the regions that include health insurance, for the period of two years.

***Fourth:-***



The Pharmacists after completing the military services are assigned to work in health insurance clinics for not less than a one year period, in the regions that include health insurance.

### ***Fifth:-***

The Pharmacists after completing their military services are transferred from the regions that include health insurance to province centers or the regions that are in the same level as the province centers, and this is defined according to instructions issued by the consultative committee.

### ***Article three:-***

#### ***First:-***

The retired pharmacists join with other than the Ministry of Health and the universities, for example they join with official and semi official offices that cooperate with them, after completing the needs of this law.

#### ***Second:-***

The Pharmacists appointed in the Iraqi university departments as a fulltime job are exempted from performing services in the regions that include health insurance, on the condition that they work in these regions when they leave work in the departments previously mentioned within five years from the date that they started to work in these departments.

#### ***Third:-***

It is permitted to appoint five graduates from the first quarter of Iraqi pharmacology college graduates to work in the university for fulltime, and the rules of section two of this article is applied upon them.

#### ***Fourth:-***

It is not permitted to appoint in the pharmacology college for a fulltime, any pharmacist who has not completed his one year training and military service.

#### **Article four:-**

##### ***First:-***

**The pharmacists appointed in the public office for medicine manufacturing in Samaraa are exempted from performing any services in the regions that are included by the health insurance, on the condition that they work in the mentioned office for a period none less than two years.**

##### ***Second:-***

The Pharmacists included by the Revolutionary Command Council's Resolution number (1000) dated on the thirtieth of July 1978 who are appointed in the province center labs, are exempted after completing their specialized sessions in these labs from the needs of training and services in the regions that include health insurance, and obligating them to work in the province centers for a period not less than two years.

This exemption does not include the pharmacists that are appointed in the district's labs.

#### **Article five:-**

##### ***First:-***

The pharmacist appointed in one of the Iraqi university departments is not allowed to practice his profession outside working hours within the period of two years from the date that he was appointed, except for the individuals who are excluded from this by law.

### ***Second:-***

The pharmacists who graduated from pharmacology universities outside Iraq are exempted from the needs of training and service in the regions included by the health insurance, only if their original profession practice period abroad after their graduation was not less than three years.

### ***Third:-***

The pharmacists who graduated by payments made by the ministry of defense are excluded from the rules of this law.

### ***Article six:-***

Law number (44) for the year 1972 (the first amended law for law number (99) for the year 1971) is annulled and any other statement is rejected if it contradicted with the rules of this law.

### ***Article seven:-***

It is permitted to issue regulations that facilitate executing the rules of this law.

### ***Article eight:-***

This law is executed from the date it is published in an official newspaper.

Saddam Hussein  
President of the Revolutionary Command Council

## ***THE REASONS***

It was noticed during the implementation of the law supplementary to the law of the medical hierarchy number (99) for the year 1971 and its amendments, that a lot of insufficiencies were found, which required a look into its rules and the necessity to

issue a special legislation for pharmacists, and due to the lack of scientific and administrative expertise of the recently graduated pharmacists which requires training them in hospitals, labs and medicine factories in different departments, and for the purpose of assigning pharmacists in health institutions in a way that insures that they provide the best health services to the citizens according to the directions made by the political Command in achieving medical socialism.

This law was issued.

*Resolution no.340*

*In the name of the people*  
*The Revolutionary Command Council*

Based on the rules of section (a) of article forty-two from the temporary constitution and based on the on the republic president's approval on the Ministry of Health's suggestion. The Revolutionary Command Council in its convening assembly that dated the twenty-fourth of april1973 approved the following law:-

*Law number (44) for the year/1973*  
*Health professionals degree*

*Article one:-*

For the purpose of this law the following terms mean:-

- 1- The minister -- The health minister.
- 2- Health professionals -- Graduates from high health profession unions and other unions that have similar studies and graduates of secondary schools for nursing.
- 3- Far places – Towns and the countryside and other districts decided upon according to the rules of this law.
- 4- Appointing -- Employing or working with a monthly salary, daily payments or fixed monthly wages.

*Article two:-*

1) -

**A:-**Health professionals are appointed in the province centers and districts that have main hospitals for the period of one whole year to increase their scientific expertise.

**B:-**The health professionals after completing the period mentioned in section (A) of this article will join the military service.

**C:-**The health professionals after completing the military service or if they were postponed or exempted from the service, will be transferred to the health centers that include health insurance outside the province centers and large districts for a period not less than two years and after completing this period they are allowed to be transferred to province centers and large districts.

**D:-**The health professionals can be transferred to the province centers or large districts if they had spent three years in the health insurance regions that were mentioned in section (C) of this article before executing the amended fourth law for this law and if these professionals had completed their military services or if they were postponed or exempted from the service.

**E:-**The professional who treats with radiation will be appointed in the radiation hospital and atomic medicine unions or in their centers.

2) - The ministry has the right to exclude from the rules of section(1) rules of this article not more than 20% twenty percent of the graduates from the unions for health professions according to expertise categorization that depends on the order of their grades at the time of their graduation.

### **Article three:-**

1). According to this law a committee is established and it is called the (consultative committee) led by the representative of the Ministry of Health and the membership of one representative from the public union of managing the social affairs in the self ruling region, the public institution for health services and the public union for general and social services.

2).The consultative committees duties are as followed:-

**A:-**Determining the remote places and preparing a list concerning that matter, for the purpose of implementing the rules of this law.

**B:-** Assigning the health professionals and transferring them according to the rules of this law.

**C:- Assigning** health professionals who lack technical capacity, to perform services in remote areas, and it is allowed to employee health professionals included by the rules of this law if they needs required the limits and the urgent need for their services was required in the province centers, on the condition that their employment has to be based on the comparison made depending on the grade classifications and when the technical capacities and needs are provided in the province centers the health professionals will be retransferred to the remote areas.

**D:-** The period that they employee to health occupations to city center according to what written in state c in section (2) of this item benefit for limited period for their services in far places according this law.

#### **Article four:-**

1). The rules of this law are applied upon health profession graduates after its execution, excluding the graduates on payments made by the ministry of defense.

2). If the health profession graduate, who has graduated on the payments made by the ministry of health was leaved from serving in the ministry of defense he will be applied by the rules of this law with regard to the degree levels which his fellow graduates reached.

**Article five:-**

It is permitted to issue regulations and instructions to facilitate executing the rules of this law.

**Article six:-**

This law is executed from the date it is published in an official newspaper and the ministers are responsible for executing its rules.

Ahmad Hassan Al-Bakir  
President of the Revolutionary Command Council

**THE REASONS**

In order to perform health services by health professionals and providing these services for all the country, and establishing the principle of opportunity equivalence in a way that insures that the health institutions provide health services for the citizens, to implement the plan formed by the seventeenth of July revolution.

This law is issued.



# The Public Health

## **Decision Number 1057**

**In the name of the people  
The presidency**

**A**ccording to the rules of section (A) of article (41) and (52) of the temporary constitution.

The Revolutionary Command Council in its assembly convened on the 8<sup>th</sup> of August 1981, issued the following law: -

## **Law Number 89 for the year 1981** **Public Health**

### **Part One** **Public Objectives and** **Management**

### **Chapter One** **Public Objectives**

#### **Article 1:-**

Total health fitness physically, mentally and socially is a right that the society provides for each citizen and the government must provide the facilities that help achieve this total fitness, so it can participate in the building and development of the society.

## **Article 2:-**

The ministry of health is responsible for organizing the work in the health sectors and adopts the necessary performances to achieve its goals and the ministry is responsible especially for: -

### **First:-**

Setting an accurate plan and providing human and materialistic resources to achieve this plan to insure providing health services.

### **Second:-**

The optimal use of the work force in the health sectors and maintaining the necessary number of workers and standards required to achieve the health plan for each institution, training the workers, renewing their information and making use of the newest scientific and technological achievements.

## **Article 3:-**

Working with other departments that relate to the issue of preparing a physically, mentally and socially proper citizen and this citizen must be free from diseases and disabilities depending on preservation and health services as a foundation and abutment for its plans, and this done by the following methods:-

**First:-** Establishing and managing the institutions and health centers and their development in all the country, participating in raising the health standards for the other Arab countries.

**Second:-** Striving against transmitted diseases and monitoring them to prevent infiltrating from other countries and vice versa and prevent it from spreading in Iraqi lands, water or atmosphere.

**Third:-** Caring for the family health and the health of the mother, child and elderly.

**Fourth:** -Caring for the scholastic health.

**Fifth:** -Raising the nutritious standards for all the people.

**Sixth:** -Setting regulations characteristics and health conditions for factories and public places and giving work permits and monitoring the implementation of these regulations, characteristics and health conditions.

**Seventh:** -Caring for the health of the workers in the factories and public places, raising their health standards and protecting them from the dangers of the profession, diseases and work accidents.

**Eighth:** -Protecting and improving the environment, developing it and maintaining its evaluations and preventing it from pollution.

**Ninth:** -Planting health education and spreading health and environmental awareness by using various methods.

**Tenth:** -Caring for mental and psychological health and providing the environment and the services that insure it.

**Eleventh:** -Providing medicine, serum, vaccinations, injection solutions and other medical supplies.

**Twelfth:** -Working on achieving the completeness in medicine manufacture and developed medical supplies according to the economic completeness principle in the Arab countries.

**Thirteenth:** -Generalizing services in medical and natural therapy rehabilitation centers to include the whole country.

**Fourteenth:** -Spreading the professional and health studies, raising the academic standards for the workers, developing medical studies and encouraging scientific resources in health, environmental and technical issues.

**Fifteenth:** -Organizing and monitoring the medical and health profession practice by coordinating with the specialized unions.

## **Chapter Two** **Management Regulations**

### **Paragraph One** **The Ministry Council**

#### **Article 4:-**

**First:-**A council is established and it is named: (The Ministry of Health Council), its headquarters is in Baghdad and it is headed by the health minister, the council's establishment and its work flow is defined by the Ministry of Health's law.

**Second:-**The council is specialized in:

- A)** Specializing in the preservation, environmental and medical policy and all that relates to the public health in the country.
- B)** Adopting the necessary recommendations which concern executing the health policy in the country.
- C)** Monitoring and observing the execution of the health plan.

- D)** Issuing instructions which insure health service development and raises the standards of the workers.
- E)** Supervising the work of the health councils in the provinces.

## **Paragraph Two**

### **The Provinces' Health Council**

#### **Article 5:**

##### **First:-**

By order of the health minister, a council is established in the center of each province and it is named (The Province's Health Center) it is headed by the governor and the health chief will be his vice, and all the concerned departments will be represented in this council according to the instructions issued by the health minister that defines the means of establishing the council and setting its work flow.

##### **Second: -**

The council specializes in: -

- A)** Studying and observing the environmental and health situation in the province, and raising the council's suggestions and recommendations to the Ministry of Health council.
- B)** Executing the part which concerns the province in the public health plan.

## **Part Two**

### **Health Preservation**

#### **Chapter One**

#### **The Basic Health Services**

##### **Paragraph One**

##### **Mother and Child Care and**

##### **Family Health**

##### **Article six:-**

The mother and child care and family health aim to achieve the government's and nation's obligation towards the mother and child from when it was a fetus.

##### **Article seven:-**

The ministry attempts to achieve its objectives in the field of mother and child care as well as family health, by the following methods: -

**First:-** Performing necessary medical examinations for individuals who are set for marriage to state their competence, safety and providing them with a health certificate.

**Second:-** Providing the whole country with health centers for mother, child care and for the family health.

**Third:-** Preparing the wife psychologically and preparing her health in preparation for her role in future responsibilities as a mother.

**Fourth:** -Observing the health of pregnant women and her fetus by performing regular examinations and preparing her nutritiously.

**Fifth:** -Guiding the family to provide a reasonable period of time between each pregnancy according to the health needs of the mother, child and family.

**Sixth:** -Performing regular examinations on the child to insure his growth and health and guiding the mother on the nutrition which has to be provided for the child during his growth period.

**Seventh:** -Obligating the citizen to perform regular vaccinations according to the rules issued by the specialized health departments.

### **Article eight:-**

#### **First:-**

The approval of the health department must be gained in order to open nursery schools according to the instructions issued for this purpose.

#### **Second:-**

The health department performs regular supervision on the nursery schools to insure that they meet the conditions required to insure the safety of the workers in the nursery school.

## **Paragraph Two** **Scholastic Health Services**



## **Article nine:-**

The scholastic health: -

1. Providing a suitable health environment.
2. Providing preservation health services for children, students and the staff that works with them.
3. Insuring the health and environmental aspects in the scholastic programs by depending on the educational operation.

## **Article ten:-**

The ministry attempts to achieve the objectives mentioned in article nine of this law by the following methods: -

**First:-**Providing the whole country with scholastic health centers and work on developing them.

### **Second:-**

**A)** -Performing medical examinations for the submitters to nursery schools, kindergartens, elementary and preparatory schools, unions and Universities.

**B)** -Performing elementary vaccinations for individuals who have not been vaccinated before in nursery schools, kindergarten, schools, unions and universities.

**Third:-**Performing regular examinations to insure the safety of the students and the working staff from any kind of disease.

**Fourth:-**Performing regular examinations for the student's teeth, eye sight, sense of hearing and reforming them, the children are also provided with medical glasses and hearing devices without charge.

**Fifth:-**The results of the regular examinations and the vaccinations are written in the cards that the Ministry of Health provides without charge and the names of the children and students when they are registered in nursery schools, kindergartens or elementary schools are also written in these cards.

**Sixth:-**Monitoring the children or students nutrition and health supervision on the places specialized in making, preparing and producing the meals which are presented to the children and also monitoring the school store.

### **Article eleven:-**

The scholastic health presentation services include all the children in nursery schools, kindergartens, students of elementary and preparatory schools, union and university students and also the members of the academic institutions and the internal divisions appending to these institutions.

### **Article twelve:-**

The approval of the health department on the buildings and its location must be gained before adopting them for nursery schools, kindergartens, schools, academic institutions or internal divisions.

### **Article thirteen:-**

The health department is responsible for the health supervision for nursery schools, kindergartens, elementary and preparatory schools, academic institutions and internal divisions and this is accomplished by performing field visitations to insure that they continuously meet the necessary health conditions which are set according to instructions.

**Paragraph Three**  
**Eye Sight and Sense of Hearing**  
**Preservation**

**Article fourteen:-**

**First:-**

The ministry is concerned with opening medical centers specialized in eye care, eye sight reforming, cross eye modification, preventing blindness and striving against transmitted eye diseases.

**Second:-**

The ministry is responsible for training the managements of nursery schools, kindergartens, elementary schools, preparatory schools and academic and scholastic boards for eye sight and hearing examinations, and providing the necessary medical equipment which is required for this reason.

**Article fifteen:-**

Each of the parents or whoever is responsible of taking care of the child is responsible for his or her eye sight and sense of hearing during his childhood.

**Paragraph Four**  
**Teeth Preservation**

**Article sixteen:-**

Working on opening teeth health treatment unions and preservation centers which specialize in teeth care according to the plan set by the Ministry of Health council to insure providing services for the citizens all over the country without charge to achieve the utmost of treatment and preservation competences.

### **Article seventeen:-**

Each of the parents or whoever is in charge of the child is responsible for the care of his teeth during his childhood.

### **Article eighteen:-**

#### **First:-**

The child's teeth are examined before he is submitted to nursery school, kindergarten or elementary and preparatory schools to insure their safety and that their growth is normal.

#### **Second:-**

Regular examinations are performed within the stages of compulsory education.

### **Article nineteen:-**

The specialized departments in the ministries perform researches in light of the examination it performs in order to attain the reasons for the diseases that affect teeth and contend them.

### **Article twenty:-**

The ministry and specialized departments work on educating the citizens in the field of teeth health and enlighten them on teeth diseases and the methods to prevent them and this is accomplished by media methods and health education.

### **Article twenty-one:-**

The ministry works alongside the ministry of education on distributing tooth brushes and tooth pastes upon the students of nursery schools, kindergartens and the first and second class students in elementary schools without charge for the sake of accustoming them on cleaning their teeth by using healthy and proper methods.

## **Paragraph Five**

### **Nutrition**

#### **Article twenty-two:-**

A complete and healthy nutrition contributes in building the health of the citizen, his completeness, his mental and physical growth, the ministry cooperates with the departments which relate to this issue in order to achieve this objective by the following methods: -

**First:-**Gaining information on the nutrition's state of the citizens and diagnosing the nutritious deficiency that he suffers from.

**Second:-**Setting the nutrition policy and this is accomplished by cooperating with the other ministries related to this issue to provide a healthy and complete nutrient for all the citizens.

**Third:-**Defining the nutritious additives that can be used, and defining the percentages that can be added to the food supplies.

**Fourth:-**Monitoring the nutrient pollution and setting the boundaries which are legally allowed for all kinds of nutrient pollution.

**Fifth:-**Approving the decision of adding nutritious elements like vitamins, minerals, proteins, amino acids and others to the nutrients for the purpose of raising its nutritious standards and the percentages of these additives must be defined.

**Sixth:-**Guiding and instructing the citizens on healthy nutrition.

**Seventh:-**Providing nutritious care for children, pregnant women, breast feeding women, and elderly for the purpose of preventing or treating malnutrition.

**Eighth:-**Technical supervision on the nutritious contents of nutritious meals that are offered by the nursery schools, kindergartens, elementary and preparatory schools, factories, hospitals, recovery homes, elderly care homes and other places that are acknowledged by instructions issued by the ministry.

## **Paragraph Six** **Health Education**

### **Article twenty-three:-**

Health education is a basic support in preventing all kinds of diseases, maintaining public health, raising the health cultural standards for the society and producing positive, active and creative citizens who participate in the society's development and its progress.

And in order to achieve this, the ministry has to: -

1. Issue leaflets and all kinds of posters.
2. Preparing health films and viewing them.
3. Convening assemblies, councils and studies for all the sectors of society by cooperating with the ministries that are related to this issue and with public organizations.
4. Making use of the educational programs and media methods.

### **Paragraph Seven** **Mental, Psychological and** **Neural Health**

#### **Article twenty-four:-**

Starting off with the basic principals that quotes [physical and mental completeness in a effective unit], to achieve normal health and the citizen's right to enjoy this health both physically and psychologically, the ministry is obligated to adopt a health politics that insures providing the necessary health services whether they are preservation or treatment services in order to fulfill the utmost of the citizens and his societies needs to enjoy a normal effective psychological health.

And to achieve this, the ministry performs the following tasks: -

**First:-** Establishing preservation and treatment institutions necessary for providing mental, psychological and neural services to the citizens.

**Second:-** Providing preservation services in the field of psychological health in the different stages of the citizen's growth from his childhood days till his elderly days.

**Third:-** Providing necessary health care and the right treatment for the following situations: -

- 1) Mentally retarded.
- 2) Senility.
- 3) Epilepsy.

And this is accomplished by cooperating with the ministries which are related considering that the problems of these groups exceed the health aspects.

## **Paragraph Eight** **Public Health Labs**

### **Article twenty-five:-**

The ministry works on establishing a central lab for public health in Baghdad and public health labs in the headquarters of all the Iraqi provinces.

### **Article twenty-six:-**

The central public health lab performs the following: -

**First:-** Setting standard measurements for the public health lab examinations in the country's provinces.

**Second:-** Performing the necessary biological, chemical and physical examinations on the food supplies, water, alcohol, medicine, medical products, beauty products and other primary materials that are used in their manufacture, also the containers for these products must be defined according to the instructions set for this issue, and the results of these examinations determine if these products are adequacy for human use.



**Third: -**Performing investigations and lab researches on the imported or locally manufactured products to acknowledge their effects on the health of the citizens and submit reports to the ministry concerning this issue.

### **Article twenty-seven: -**

The public health preservation department has to approve exceptionally on releasing supplies that are undergoing lab examinations from the custody of the tax department before submitting its owners with health certificates according to article (26) of this law with a written bond from the public notary to prevent disposing them, and these supplies must be stored by direct supervision from the specialized department and the storage place is sealed by red tape till the results of the lab examinations shows.

### **Article twenty-eight: -**

The public health labs are responsible for performing regular examinations on the following: -

**First: -**Food, drink and medical supplies which are presented to the citizens to determine their adequacy for human use.

**Second: -**Operation rooms and the workers in these rooms, its equipments, furniture, facilities and all the other supplementary materials.

**Third: -**The workers in the manufacturing of nutrients, distributing, transferring and selling these nutrients, to determine that these workers are not affected by any kind of diseases or carry the causatives.

**Fourth: -**The workers in chemical industries to insure their safety.

**Fifth: -**Beauty products and bactericides to determine their adequacy.

### **Article twenty-nine:-**

The results of the examinations performed by the public health labs are considered reliable and in case of objection, the examinations will be repeated and this time the results are final.

### **Article thirty:-**

Expanding the construction of environmental lab that specialize in performing physical, chemical and biological lab examinations to investigate the pollution of water, air and soil.

### **Article thirty-one:-**

The endemic diseases union and the departments which are supplement to it are responsible for examining the incoming individuals to the country to insure that they are not affected any kind of transmitted or endemic diseases and provide them with certificates that confirm this.

## **Chapter Two**

### **Health Monitoring**

#### **Article thirty-two:-**

Insuring that the health conditions and health regulations are provided in public places is a necessity for protecting the health and safety of the citizens and the environment, providing these conditions and health regulations are an obligation on the owners of the public places and the individuals who are responsible for these places.

According to this, health monitoring is practiced by the institutions of the Ministry of Health all over the country on continuous bases, day and night, to insure the implementation the rules of this law.

#### **Article thirty-three:-**

It is not permitted to establish or open a public place whether it was related to the socialistic sector or the private and mixed sectors without obtaining a health permit from the specialized health party, and the public places which are submitted to this law must be defined.

#### **Article thirty-four:-**

The conditions required for obtaining health permits are defined in the following: -

##### **First:-**

The place must be provided with the health conditions that the ministry of health sets according to the instructions it issues for this reason.

##### **Second:-**

**A)** The owner of permit and the workers in the public place must obtain a health certificate that confirms their safety from transmitted diseases and from sickness germs after performing bed, lab and radiation examinations, necessary vaccinations and is submitted to regular examinations.

**B)** In the cases that the owner of the permit was one of the government offices or the socialistic sector, then these offices will appoint one of their members responsible for the public place, and the member must be submitted to the rules of this law, and these rules are implemented also if the office assigned the management of the public place to a contractor.

**Third:-**

The necessity of providing a suitable amount of space according to the nature of the work that the place was basically established for, and this space is defined depending on the variety of the public place and according to instructions issued by the ministry and published in an official newspaper.

**Article thirty-five:-**

The specialized health party is responsible for: -

**First:-**

Monitoring the imported and locally manufactured nutrients, and insure their adequacy for human use.

**Second:-**

Monitoring the nutrient supplying stores and it also includes monitoring the places that prepare, store, sell and transfer nutrients.

**Article thirty-six:-**

The specialized health party has to meet the conditions which concern the health and the environment, and these conditions are set according to instructions issued for this reason and published in an official newspaper.

### **Article thirty-seven:-**

The public places health permits and the employees health certificates are renewed yearly after conducting a location investigation in the public place and performing the examinations stated in paragraph (2) of article (34) of this law.

### **Article thirty-eight:-**

#### **First:-**

The traveling salesmen are submitted with the health permit and are conditioned to obtain the health certificate according to the rules of this chapter.

#### **Second:-**

The traveling salesmen according to this law is the individual who travels from one place to another or in a permanent place, and sells nutrient products not included in the rules of section three of this article, without owning a his own public store according to the rules of this law.

#### **Third:-**

The traveling salesmen, who sell meat or its products and other nutrient products that are spoilable, are submitted to monitoring according to the instructions issued by the health department.

### **Article thirty-nine:-**

The public lavatories are submitted to the monitoring of the Ministry of Health according to the instructions that the ministry issues to insure the health conditions in the public lavatories.

## **Article forty:-**

**First:-**The public swimming pools must be established in a way that insures the circulation of the water in a continuous manner between the sterilization and filtration equipment and the swimming pool, and insuring that the pool's water is not polluted in any way and this is done by conducting regular lab examinations.

**Second:-**Providing all the means that insure the health and public safety of the individuals that go to public swimming pools, the safety of the changing rooms, the lavatories and all of the swimming pool workers.

**Third:-**The dirty water pools and their open drains must be a space of at least thirty-five meters between them and the edge of the swimming pool.

## **Article forty-one:-**

It is not permitted to import or produce chemical materials and used products for medical, industrial or agricultural reasons in addition to paints, beauty products and insecticides before the manufacturing or importing department provides the specialized department in the ministry with a an explanation on the sickness side effects due to taking these products wrongly or being exposed to them, the methods used in treating these cases and gaining the approval of these departments.

## **Article forty-two:-**

It is not permitted to import, manufacture, or sell the products mentioned in article (41) of this law before obtaining a permit from the ministry according to the instructions issued for this purpose.

## **Article forty-three:-**

The specialized health party has to grant the public place owner who has a license before the execution of this law a period that does not exceed one year to fulfill the health conditions mentioned in the Ministry of Health's instructions to implement this law, and when the owner fails to fulfill these conditions within the granted period, the public place will be closed down and the permit cancelled.

### **Chapter Three**

### **Striving against transmitted diseases**

#### **Article forty-four:-**

The transmitted disease is a disease resultant to an infection from a transitional factor or from the poisonous gases created by it, and this is achieved due to the transmission of the factor from the source to the host whether in a direct or indirect manner.

#### **Article forty-five:-**

The transitional and endemic sicknesses which are submitted to the rules of this law must be defined according to instructions issued by the health minister or whoever.

#### **Article forty-six:-**

##### **First:-**

It is permitted for the health minister or whoever he authorizes to announce in a statement issued by him, any city or part of a

city an infected area with diseases which are submitted to the International health regulations.

### **Second: -**

The health authorities in this case have to take necessary measures to insure that the disease did not spread, and to achieve this the authorities have to: -

- A)** Restricting the citizen's movements within the infected area by controlling the individuals who enter or leave the mentioned area.
- B)** Closing public places such as cinemas, cafes, nightclubs, restaurants, hotels and any place that is submitted to the permits and health monitoring, also the educational institutions, factories, projects, government offices and the socialistic, private and mixed sectors.
- C)** Preventing the selling of nutrients, refreshments, soft drinks and ice, prevent transferring them from one area to another, and destroying the polluted of the mentioned items.
- D)** Secluding, monitoring and transferring of animals and products.

### **Article forty-seven:-**

The health minister or whoever he authorizes can announce in an issued statement when one of the diseases that is submitted to the government health regulations has spread, his control over any means of transportation, any official building or request any individual to participate in the health striving campaign and this statement has to define the period of its validity.

The owners of the private transportation means must be given their wages also the individuals who participated in the health striving campaign are given their wages, and these wages are set by the health department according to the wages applied in these infected areas.



### **Article forty-eight:-**

The health minister has to issue instructions for the necessary arrangements that have to be taken to strive against transitional and endemic diseases that affect humans, animals or humans and animals together, and preventing the spread of the disease or trying to prevent it from entering the country depending on the nature of the disease and by cooperation with other specialized authorities.

### **Article forty-nine:-**

The specialized health sectors have to confiscate the vegetables, animals and other products that are under the suspicion of containing transitional or endemic diseases, or if they carry the causatives, and if the suspicious cases are proven then these animals, vegetables and products have to be destroyed under the supervision of a committee established by the ministry for this case

.

### **Article fifty:-**

The treating or surgical physician or every citizen that suspects the existing of a disease case from the diseases that are included in the international health regulations or of a death caused due to these diseases, they have to inform at once the nearest health institution related to the government, and the health institution has to take the necessary measures which includes informing the specialized health department in the ministry.

### **Article fifty-one:-**

The health department with the approval of the minister or whoever he authorizes, when it acknowledges the existence of any kind of transitional or endemic disease or even suspects its existence, then the health department has the right to enter homes, public places or any other places for the purpose of health

investigation and examining the individuals there to insure that they are not affected by the disease and these departments also have the right to take samples for lab analyzing and these samples are in taken from the patient's or from the suspected individuals clothes, and spray insecticides and all kinds of chemical products inside these homes, flats, lodgings or outside them and any other public places.

### **Article fifty-two:-**

#### **First:-**

When any individual is under the suspicion of carrying the causative of the diseases or if he was in the incubation stages for one of the transitional diseases which are submitted to the governmental health regulations, the health sector has the right to take the necessary measures to monitor, isolate or seclude the individual for the purpose of examining him to insure that he is free from any disease microbes, treating him when it is proven that he is a carrier of these causatives and also treating him if it is proven that he is affected by the disease till he is healed from it.

#### **Second:-**

Free nutrient meals are provided to the excluded, isolated individuals according to the rules of this law whether he was in a hospital or any other place defined by the health department as health quarantines.

### **Article fifty-three: -**

#### **First:-**

The individuals who carry the intestinal disease germs are forbidden from working in places where food refreshments and soft drinks are made, prepared, canned, stored, transferred and sold, also the workers of water projects, swimming pools and ice factory projects are also forbidden from work if they were affected by these diseases.

#### **Second:-**

The specialized health department has lab confirmation that the worker is affected with intestinal disease microbes they have to inform his work manager of this confirmation in a written letter to prevent the affected individual from work, and the affected individual is not permitted to pursue his job before its proven that he is free from those microbes and both the employer and employee are legally responsible for the execution of this article.

### **Article fifty-four:-**

The individual who is affected with one of the transitional diseases is forbidden from working in educational institutions or work places for a period of time set by the specialized health departments.

### **Article fifty-five:-**

If an individual died from a transitional disease which is submitted to the governmental health regulations, it is forbidden

to sell his furniture or clothes which he used during his sickness. The specialized health sector is responsible for destroying the furniture and clothes mentioned.

### **Article fifty-six:-**

#### **First:-**

The health minister issues a statement which is published in an official newspaper defining the individuals who are obligated to regular vaccinations that are performed by the specialized health departments or physicians with profession practice licenses, and these individuals must be provided with certificates that confirm the vaccinations.

#### **Second:-**

It is permitted to exempt any individual from the vaccinations mentioned in section one of this article due to sickness reasons depending on a medical report issued by the medical committee or by physicians with profession licenses.

### **Article fifty-seven:-**

The specialized health sectors can request the filling up of swamps, changing the rivulet's passages and removal of medical insect reproduction sources by cooperating with the sectors which are in charge of these kinds of issues.

## **Chapter Four** **Transferring corpses and** **Burying the Deceased**

### **Article fifty-eight:-**

#### **First:-**

It is permitted to transport corpses to the republic of Iraqi's territory for the purpose of burying the corpse in the country or just passing through, according to the following conditions:-

**A) –**Transporting the corpse into the country has to be done through the country's official border, whether it was sea, air or land and this is defined by the specialized departments.

**B) –**Providing the death certificate and the transporting permit that includes the name of the deceased, the place,

date and cause of death issued by the specialized health department in the place of death, or the burial place in cases of opening the grave and removing the corpse, and these documents have to be issued in the language of the country they were issued in or in the Arabic, English or French languages, on the condition that these documents have to be certified by the Iraqi consulate or whatever represents it in the county that the corpse is being transferred from.

**C) –**The approval of the public health preservation department has to be gained by the Iraqi representative in the country or whoever represents it, for the corpse's entry to the republic of Iraq's territory before the corpse is transported.

**D) –**The corpse must be put in a metallic coffin and the bottom of the coffin must be covered with an absorbent substance (for example herbal coal, sawdust or coal powder) which are added to a sterilizing product. And according to the international health regulations, the corpse must be wrapped with a cloth soaked with a sterilizing solution and the metallic coffin must be sealed tightly by fusing it in the presence of the consul or whoever represents him, and the metallic coffin is put in a wooden box which is also sealed and the thickness of this wooden box is two centimeters and its sides must not penetrate liquid substances and it must be sealed tightly with screws, and last the wooden box must be sealed by the Iraqi consulate's seal or the seal of whoever represents it.

**Second: –**The transporting party must re transport the corpse on its own expense, outside the country if it did not meet the requirements mentioned above and the manager of the transportation is considered responsible in this case.

**Third: –**The rules of section one of this article are considered when transporting the corpses from inside the country to outside of the country, and the approval of

the embassy of the deceased's country or the embassy of the county he is being transported to, and the approval of the ministry of foreign affairs must be gained. And the procedures mentioned in section one of this article, must be implemented in the presence of the consul of the country he is being transported to, and the wooden box is sealed by his seal or by the seal of the specialized health department in the country.

### **Article fifty-nine:-**

The corpse of the deceased individual who died due to one of the diseases mentioned in the international health indexes are not permitted for transportation if a two year period has not passed the burial date, and on the condition of obtaining a special permit by the specialized health department.

### **Article sixty:-**

**First:-**It is not permitted to transfer the corpse from one city to another inside the county without a death certificate.

**Second:-**It is permitted to transfer the corpse inside the county if the burial was to be preformed within the period of 36 hours from the time of death, on the condition that the death is not caused due to diseases mentioned in the international health indexes or a transitional disease defined by the health department in a statement issued for this reason, and it is permitted to exclude transporting corpses if the cause of delay was due to judicial medical procedures according to a statement issued by the specialized legal department or due to keeping the corpses in the refrigerators specialized for keeping the dead.

**Third:-**It is not permitted to transfer the buried corpse if a period of one year has not passed the burial date.

**Article sixty-one:-** A fee amount of one hundred dinars or whatever equivalents it in foreign currency is taken for each foreign corpse wanted to be buried in the country, and the fee amount is collected by the Iraqi consulate abroad or whoever represents it, and this fee is for an official receipt which has to be attached to the documents specialized for the corpses transportation, and it is permitted for the fee to be collected by the health department defined according to instructions issued for this purpose.

**Article sixty-two:-**

It is not permitted to bury the corpse without a death certificate organized by the law after it has been examined by the treating physician or the physician in the health institution to insure the authenticity of the death and the deceased's identity depending on the deceased's personal identification card or any other official documents.

**Article sixty-three:-**

If the death was a result to one of the diseases mentioned in the international health indexes or one of the transitional diseases defined by the specialized health departments in a statement issued for this purpose, in this case it is not permitted to bury the corpse by the deceased's family, and the specialized health department with cooperation with the governorate and the municipalities, performs the burial in places specialized for these purposes in the graveyards of the cities that the death took place.

## **Chapter Five**

### **Drinking Water**

#### **Article sixty-four:-**

The approval of the specialized health department on the adequacy of the drinking water locations must be obtained during the period of studying and designing the drinking water supplying project on the condition that special information concerning the quality of the water from the water source in the source's location as stated in governmental lab examinations.

#### **Article sixty-five:-**

The health department agrees on the adequacy of the location and the clarification methods used in the project, by cooperating with the government offices which specify in clarification and depending on the results of the water source contains at the source's location on the condition that the clarification methods must include biological, chemical and physical pollution treatments.

#### **Article sixty-six:-**

The Iraqi or International standard specifications are depended upon for determining the quality of the drinking water and its adequacy for humans for all the drinking water projects in the country.

#### **Article sixty-seven:-**

##### **First:-**

Every new project for drinking water clarification must include a complete lab for performing micro biological, chemical and physical examinations to determine the efficiency of the clarification stages and to make sure that the water supplied meets the specifications that are depended in the country.



## **Second: -**

The departments responsible for the existing water drinking projects which are working now have to establish a complete lab as mentioned in section one of this article within a period of time set by the health department according to special instructions, this department has to provide the project with the basic lab equipment (equipment for measuring the muddiness, the remaining chloride and the (PH) number) and others within a six months period from the date of publishing this law in an official newspaper.

## **Third: -**

The sectors responsible for supplying drinking water are committed to provide the health sector in the area with the test results for the tests that are performed on the drinking water.

## **Article sixty-eight: -**

The public health labs and environmental labs in the province's centers have to perform regular tests concerning the quality of the water supplied, and making sure that they match the specifications that are depended in the country.

## **Article sixty-nine: -**

When the water does not match the specifications depended in the country then the department responsible for operating the project has to take necessary measures to insure that the water will match the specifications depended in the country.

## **Article seventy: -**

The approval of the health department must be gained on the variety of chemical products used in the clarification stages.

## **Article seventy-one: -**

The approval of the health departments must be gained for determining the locations used in the disposal of offal water whether they were from agricultural, industrial or human sources to the water source to insure the control over the quality of the

water in the source locations, for water drinking clarification projects.

### **Article seventy-two:-**

The government offices, socialistic sectors and other sectors are committed to provide the health department with all the information related to what exists in the water source locations and in the disposal points, what is planned in these location, the amounts and contents of the water disposed to the water sources and their percentages, biologically, chemically and physically on the condition that these percentages do not exceed the limits defined by the health department.

## **Chapter Six** **Sheltering and Raising Animals** **in an Inhabitant District**

### **Article seventy-three:-**

#### **First:-**

It is forbidden to shelter or raise animals including domestic animals in inhabitant districts if they exceeded the normal number of animals which may be used by personal or family needs.

#### **Second:-**

A statement must be issued by the Ministry of Health to determine the inhabitant districts which are submitted to rules of section one from this article.

### **Third: -**

The owners of the animals which are submitted to the rules of the previous section must dispose these animals within a three months period from the date of publishing this statement in an official newspaper.

### **Fourth: -**

If the owners of the animals and domestic animals did not dispose them within the mentioned period, then the health sector has to make the decision of confiscating and selling them through the managing authority in the area, the owners of the animals and domestic animals have the right to ask for their values after subtracting the costs and expenses from them, and this has to be done with in the period of six months from the date that they have been sold and if the mentioned period ended and the owner did not request for the value, the value will be considered an income for the fund.

## **Chapter Seven** **Rodent's contention**

### **Article seventy-four:-**

The ministry works on setting a yearly program for contending against rodents within the ministry's plan to contend diseases that are combined between the humans and the animals, and due to the danger of rodents on human and environmental health and to avoid large economic damages that are caused by mice and rats.

### **Article seventy-five:-**

The ministry and other departments are responsible for performing researches and tests in the labs specialized for contending against rodents, and the ministry issues instructions concerning the contention issue all over the country, and the governmental

offices, the socialistic sector and other departments are responsible for executing these laws.

### **Article seventy-six:-**

Public places that are related to governmental offices and to the socialistic, private and mixed sectors contend against rodents (mice and rats) according to the ministry's instructions and under its supervision.

### **Article seventy-seven:-**

The ministry performs the contention without charge in areas with a high, and the individuals who perform the contention are permitted after presenting their specialized official certificates to enter the buildings and houses for the contention purpose only. And the occupiers of these houses and buildings have to facilitate the task preformed by the contention performers and cooperate with them.

### **Article seventy-eight:-**

The permits for building any public place is not provided before making sure that the construction specifications and methods are sufficient enough to brace it against the entry of rodents according to the rules issued by the Ministry of Health.

## **Unit Three** **The treatment health** **institutions**

### **Chapter One**

## The treatment health institutions related to the government

### Article seventy-nine:-

The ministry works on providing complete health treatment services to the reclining individuals in health institutions and public clinics, and work on developing these services with examinations, diagnosis and treatments that are abreast with the modern scientific developments in this field.

### Article eighty:-

The health president, the president or manager of the treatment health institutions, perform the following authorities:-

**First:-** Defining the variety of nutrients presented to the patients in health institutions and their amounts and contains according to a list defined by instructions issued by the ministry and is published in an official news paper, approving the nutrients added by the treating physicians and other necessary products.

**Second:-** Appointing individuals to stay in the institution after official working hours, on the condition that food is supplied to them without charge.

### Article Eighty-one:-

**First:-**

The treatments, lab tests, radiation tests and other tests are free for the patients that occupy the free

rooms in the health institutions related to the government.

### **Second: -**

The Ministry of Health can take from the reclining individuals in treatment health institutions related to the government and the occupiers of the rented rooms in these institutions, fees defined by the system issued according to this law.

### **Article eighty-two:-**

The physician responsible for a division has to sign the daily applications that are organized by the nurse concerning the number of patients in the division, to confirm the number of patients in the division for the purpose of supplying them with nutrients and medicine.

## **Chapter two** **Non governmental health** **institutions**

### **Article eighty-three:-**

It is allowed to open a private hospital after obtaining a permit from the ministry, and in order to provide the license the individual has to meet the required conditions defined by the ministry, and these conditions are:-

### **First:-**

**A) –The permit submitter has to be an Iraqi or Arab physician with a permit to pursue profession practice in the country.**

**B) –Scientific and charitable committees can apply for a permit to open private hospitals on the condition that the manager of the hospital has to be an individual that meets all the requirements of section (A) of this article.**

### **Second : –**

**A)-The hospitals location must be suitable and far from noise and pollution sources.**

**B)-Choosing the location is submitted to the approval of the specialized health department.**

### **Third : –**

**The hospital's building and its rooms have to be adequate for hospital purposes concerning its architectural designs and it fulfills all the health requirements, according to instructions issued by the ministry.**

### **Fourth : –**

**A) –A Manager is appointed to manage the hospital, and he has to be approved by the Ministry of Health.**

**B) –A number of residential physicians with permits to perform the profession practice are appointed and technical helping hands from Iraqis and other nationalities, their numbers appropriate with the number of hospital beds, after obtaining the ministry of health's approval.**

**C) –Appointing managers and workers their numbers appropriate with the number of hospital beds, according to the instructions.**

**D) –These institutions are submitted to regular investigations preformed by the inspection offices in the ministry to insure the implementation of the rules and specifications.**

#### **Article eighty-four:-**

**In every private hospital an administrative council is established, supervises over the hospital's affairs and the instructions issued by the ministry of health defines its establishment and its duties, on the condition that the ministry has representatives in this council.**

#### **Article eighty-five:-**

**The number of hospital beds in the rooms and divisions is defined when the permit is provided.**

#### **Article eighty-six:-**

**The hospital management can apply for a permit to open a clinic outside the hospital, and the specialized health department has to provide the permit after insuring that it meets the requirements according to the instructions.**

#### **Article eighty-seven:-**

**The ministry of health can categorize the non governmental health institutions and define the fees that are taken from the patients in a statement that it issues for this purpose.**



## **Article eighty-eight:-**

The ministry can provide permits to a specialists in disease analyzing who have permits to practice the profession from the specialized union, each in his field of specialization to open labs according to the instructions issued by the ministry, and these instructions define the requirements needed to provide the permit and also the health requirements that have to be provided in these labs.

These instructions also define the lab test fees and the variety of tests preformed.

## **Article eighty-nine:-**

### **First:-**

The ministry of health defines according to instructions and by coordination with the concerning union the health conditions the conditions that are required in the special practicing place for performing medical professions {the physician, the dentist, the pharmacist, the veterinarian} and the conditions that are required in the labs.

### **Second:-**

The concerning union insures that the conditions mentioned in section (A) of this article are provided before providing the permits to open practice places.

### **Third:-**

The inspection departments in the Ministry of Health with the concerning union representatives, monitor the conditions in the clinics, labs, pharmacies and permitted places before the execution of this law and after its execution on a regular bases to insure their adequacy.

#### **Fourth : -**

**The health minister or whoever he authorizes can close down the clinics or the places included by the rules of this law when it finds that the health conditions required are not provided.**

## **Section four** **Organizational and Punitive Rules**

### **Chapter One** **Organizational Rules**

#### **Unit One** **Inspection**

##### **Article ninety:-**

The specialized health committee monthly and periodically takes samples from the operations rooms, surgery tools and the furniture used in these rooms and the supplementary rooms, to ensure that they are clean from Germs that may cause infection.

In cases of finding any proof to infection, the health committee should shut these rooms and the rooms supplement to it, and work must not be preformed in them, to perform sterilization and they are not reopened before making sure of their safety.

##### **Article ninety-one:-**

The management of the health institution is committed to the following:-

##### **First:-**

Having a chronicle for the interior patients that includes the following information and the health management must provide the health departments with exact lists at the end of each month:-

**A) -**The annual and monthly serial number of the patient and his room and bed number.

**B) -**The triple name of the patient's name, his surname, his last name and his full address.

**C) -**The date of his entrance to the health institution.

**D) –**The patient's diagnosis.

**E) –**The kind of cure required and its results.

**F) –**The date the patient leaves the institution or the date of his death and stating the reasons of the death.

### **Second: –**

Having a chronicle to the operations that are preformed in the health institutions and this chronicle must include the type operations preformed, the date it is preformed and its result, and the health institution must provide the specialized health departments with monthly lists that includes this information.

### **Third: –**

Obtaining a chronicle for the inspection notes.

### **Fourth: –**

**A) –**Organizing a medical chronicle for each patient submitted to the hospital that includes the information that was previously mentioned in section one of this article and the physician in charge of the patient's case must sign it and provide him with all of the patient's special medical documents.

**B) –**It is not permitted to perform a surgery without the patients agreement if he was conscious or the agreement of one of his relatives or who ever accompanies him if he was unconscious or under-age, excluding from these rules if the patient's life was exposed to danger or imminent death if performing the surgery was delayed, and according to this it is permitted in these cases to perform the surgery in order to save the patient's life without obtaining the approval mentioned previously.

## Unit two

### Computing

#### Article ninety-two:-

The specialized computing department in the ministry of the health performs the following:-

**First:-** Life computing and it includes:

- A)** -Recording the birth of Iraqis and the births of other nationalities.
- B)** -Recording the death of Iraqis and the death of other nationalities.
- C)** -Recording the cases of giving birth to dead babies.
- D)** -Recording the cases of marriage and divorce.
- E)** -The researches that are concerned with population computing.

**Second:-**

The health computing includes:-

- A)** -The computes of the patients that are submitted to the health institutions.
- B)** -The computes of the visiting patients to the health institutions and they are classified according to the sex, age and their provinces for all the disease cases.
- C)** -The human working hands in the health institutions and they include:-
  - 1- The professional medical working hands.
  - 2- The professional health working hands.
  - 3- Other assistance working hands.
- D)** -Counting the health institutions with all its types and specialties including the number of beds and the

days that these beds were occupied and the number of times they were used during the year.

**E)** –The computes of researches and health examinations.

**F)** –Publishing regular health leaflets.

**G)** –The computes of the number of surgeries preformed and its types and results.

***THIRD: -***

The computes of preventive medicine and it includes:-

**A)** –Publishing the annual and monthly leaflets for transitional and contagious diseases classified according to the sex, age and the provinces.

**B)** –Computing the immunizations.

**C)** –Computing the endemic diseases.

**D)** –Any other computes as required.

***FOURTH: -***

**A)** –Publishing a health copy-book, its frame and contents and organizing and distribution methods are defined according to regulations issued from the ministry.

**B)** –The health department or the midwife should provide the born child without charge, with a health copy-book at the same time it organizes the birth certification according to rules of registering the births and deaths law.

**C)** –The parents or whoever takes their place legally should keep hold of the health copy-book until the child reaches the maturity age.

**Article ninety-three:-**

**First:-**

The specialized department with cooperation with the specialized union, register the health professionals and grant them with practicing licenses and their annual renewing, and they also grant work place permits according to the instructions issued by the minister.

### **Second: -**

The specialized health department with the approval of the minister or whoever represents him and with cooperation of the specialized union, inspect the work places and the houses that are occupied by the health professionals and other workers who use these place to pursue their professions, medicine, equipment and other supplies used illegally against the requirements of the professional practice.

## **Unit three** **The medical committees**

### **Article ninety-four:-**

#### **First:-**

The minister of the health establishes medical committees for the following purposes:

- A) -**examining the individuals nominated to serve in the governmental offices and the socialistic sectors.
- B) -**Relegate the officialdom or the workers to the retirement and show his propriety to serving.
- C) -**Appraising the insufficiency and unemployment.
- D) -**The medical treatments abroad.
- E) -**Studying the medical reports that are issued abroad to either confirm or refuse them.
- F) -**Appraising the mental, health and psychological cases for the individuals that are relegated from official departments.
- G) -**Testing the driving license applicants and the renewal of these licenses.

**H) –**Testing the students submitting to universities and unions.

**I) –**Any other purposes as required.

***SECOND:-***

**A) –**According to a decision made by the minister an appealing medical committee is established to receive and look into the incoming objections concerning the committee's decisions that was mentioned in section one of this article.

**B) –**The objections about the decisions of the committee that was mentioned in item (FIRST) can be receive through thirty days from the date of delivering the decision.

**C) –**The decisions made by the appealing committees are conclusive.

***THIRD: -***

The establishing of medical and appealing committees and their authorities are defined according to instructions issued by the minister and published in an official newspaper.

**Article ninety-five:-**

The minister of health has to issue instructions to define the methods applied when granting sickness leaves and the medical reports that are issued inside the country from the physicians and the dentists in their own clinics and the reports issued by un governmental health institutions.

**Chapter two**  
**Punitive Rules**

**Article ninety-six:-**

**First:-**

When violating the rules of this law and the regulations and instructions that are issued according to it, the health minister or any one who



represents him, have the authority to shut down any of the places that are submitted to health monitoring for a period of time that does not exceed thirty days and imposes an immediate fine that does not exceed fifty Dinars.

### **Second: -**

The individual included by the rules of section one of this article, is banned from practicing the profession in their working place until the ban reasons are eliminated.

### **Third: -**

The work place owner has the right to object on the closure decision to the appealing committee that is established by the minister for that purpose, and the objection is presented through the health committee that issued the closure decision, and the committee must send the objection with the case priorities within five days from the date of registering the object at the committee, and the appealing committee's decision is conclusive.

### **Fourth: -**

The report presented by the health committee that preformed the location inspection sufficient evidence for a conviction, on the condition that any other evidence does not appose it.

### **Fifth: -**

The courts abstain against hearing the cases formed from orders issued according to the rules of this article, to shut down the work places submitted to permits and health monitoring or by disposing the nutritious products due to reasons related to the public health.

## **Article ninety-seven: -**

### **First: -**

In the center of Baghdad governorate an appealing committee is established and the deputy manager of the technical public health prevention institution as manager of the committee, and the membership of two of the employees in the preventive and environmental institutions chosen by the health minister.

## **Second: -**

In the center of each governorate an appealing committee is established with and the deputy manager of the technical governorate health institution as manager of the committee, and the membership of two of the employees in the preventive and environmental institutions chosen from by the health minister.

## **Article ninety-eight:-**

The health committee exerts its authority to shut down the work places that are submitted to healthy monitoring without restrictions to the rules of the work law or any other law. The closure of the work places according to the rules of this law does not violate the owner's legal commitment rights towards his employees as stated in the laws, regulations and instructions.

## **Article ninety-nine:-**

### **First:-**

Any individual that violates the rules of this law, the regulations, the instructions or the statements that are issued according to it should be punished with a fee amount not less than one hundred Dinars and does not exceed three thousand Dinars, or he may be punished with imprisonment for a period not less than one month and does not exceed two years or both of the two punishments are applied to him and if he recommits a violation to the rules of this law his punishment will be with imprisonment and his license be canceled conclusively.

### **Second: -**

The violating employer according to the rules of this law is relegated to court, without obtaining permission from the specialized minister.

## **Article hundred:-**

The health minister has the authority to cancel the health license and shut down the public place immediately, when it is proven that environmental pollution that threatens the safety and the health of the citizens exists in

the work place, without restrictions to the rules of the work law or any other law.

## Unit five

### Conclusive rules

#### Article hundred and one:-

##### **First:-**

The forensic physicians have to perform an autopsy on the body that sent to it from the police station or any other investigation authority to define the cause of death and provide the necessary report to the specialized official department concerning this issue.

##### **Second:-**

The deceased's body is delivered to its relatives after the autopsy has been preformed, if the investigation judge decided that there is no need to perform an autopsy in this case the body will be delivered to the relatives without an autopsy.

##### **Third:-**

If the physician suspected that the patient's wounds were due to a criminal act whether it led or did not lead to his death, in this case the physician inform the nearest police station after treating the patient or the case of his death he has to relegate the body to the forensic physicians to perform an autopsy and state the cause of death.

##### **Fourth:-**

If an individual that was relegated by the police to one of the health institutions died, in this case the health institution must send the body to the forensic physicians and inform the police station that the individual was relegated from about the death.

##### **Fifth:-**

**A)** -If any of the deceased's relatives did not contact the forensic physicians about the body within two months for the date that they the body, the governorate and the other municipalities in the provinces based on a request made by the physicians mentioned above, and this is request is submitted by a written authorization that includes the deceased's full name, and the investigation authority that has sent the body can bury it in the public cemetery to ease removing it from the grave if required.

**B) –**It is not allowed to bury an unidentified body before photographing it and taking its fingerprints and this is preformed by the specialized investigation department.

## **Article hundred and two:-**

### **First:-**

The following laws are Canceled:-

- 1- The law of striving against
- 2- The public health law number 45 for the year 1958.
- 3- The law of striving against contagious diseases number 121 for the year 1963.
- 4- The law of transporting burials number 52 for the year 1967.

### **Second:-**

Continuing the work with the rules, the regulations and the statements issued according to these laws till they are amended or annulled.

## **Article hundred and three:-**

### **First:-**

The following systems are canceled:-

- 1- The health control system for air navigation number 32 for the year 1932.
- 2- The health control system for the Basrah harbor number 54 for the year 1935.
- 3- The health control system for the borders number 69 for the year 1936.
- 4- The system of recruiting in public places number 6 for the year 1937.
- 5- The system of preventing the transition of bilharizia diseases by the hairdressers number 1 for the year 1939.
- 6- The health requirements for houses number 1for the year 1939.
- 7- The system of forming the Malaria protective group number 10 for the year 1941.
- 8- The system of protective institutions management number 75 for the year 1941.
- 9- The system of not uniform healthy institutions number 68 for the year 1956.

- 10- The system of uniform healthy institutions nu.56 to the year 1957.
- 11- The system of the obligation healthy councils in the governments number 10 for the year 1964.

## **Second: -**

Continuing the work with the instructions and statements issued according to these systems, till they are amended or annulled.

## **Article hundred and four:-**

**It is not permitted to apply any legal statement that contradicts with the rules of this law.**

## **Article hundred and five:-**

**It is permitted to issue regulations, systems, instructions and statements to facilitate executing the rules of this law.**

## **Article hundred and six:-**

**This law is executed when a sixty day period has passed the date of its publication in an official newspaper.**

Saddam Hussein  
The chairman of the revolution command council

## **THE FORCING REASONS**

The public health legalizations stilled dissipated between Pasteurization law and the different rules and regulations, lose the unity and the frame, text it in a time the health services were solvent and limited, since the revolution of 17-30 of July 1968 a huge expansion in the health services has been achieved by considering the Human a revolutionary aim and its facility, so the old legalizations proceed with that expansion in the actions of the health facilities, and it became necessary to issue a public health law appropriate with the socialist construction stages and depending upon the ideals that are insisted in the political report of the Eighth country conference for the Arab Baath socialist party as a base for it.

To make the public health law appropriate with this stage it depends the planning as a base for its actions of the facilities of the ministry of health according to the frame of national development plans and the health integration as the national level.

The law was applied upon a new ideal for the public health intent to create a citizen with complete body and mental fitness and socialize him to be an active person in the society and react with it.

This law gives the protective health services large attention considering it as a base for the health policy and the obligation services for the state specially for the child, the mother and the family, to make it easy for the health facilities to do their job, the law limited the bounding of the health institutions and the workers within in it, so it takes care with the matter of setting and practicing the professional technical and medical working hands and renewing their information to achieve the world development and if it is possible to use the most developed technologies to offer better health services in faster and in better conditions.

The law will also organizes the curing health services and provides them with special attention and schedules it in both the socialistic and the special sections.

Giving the health censoring a great attention to include all the public institutions and work places they are brought under the socialistic section or the special one, that is to protect the citizens for all the country, to make the censoring system an active law and it rules will organize the matters of opening public working places and the procedures of shut it down and canceling the license that objects it, and the decision and the ability to punishing the individuals who violate the law.

For the purposes mentioned previously  
This law is enacted



## **Decision 1371**

**In the name of people  
The Revolutionary Command Council**

According to the adjudging of the item (a) to the subject 42 from the temporary constitution and basing with offering of the minister of the health:-

The revolution command council decides in his convening setting in 15-11-1971 issue the following law:

### **Law Number (148) to the year 1971 The recording of birthing death ( (1) )**

#### **Article one: -**

The following expressions mean:

The ministry – The ministry of the health.

The special healthy authority – The office for recording the births and deaths, or the health institutions in the cities or in the governorates, or anyone who represents the minister through his specialty in the area of birth or death.

The certification - The birth or death certification that must be organized and signed from the charging committee in three copies according to the design that is decided by the ministry.

## **Article two:-**

Provide the official institutions with birth and death certifications for free.

## **Article three:-**

**A) –**The delivering physician, the nurse or the midwives who have delivery permits, when they perform the delivery operation in the official or unofficial institutions must organize the certificates and present it within fifteen days, and the institution manager or any one that represents him have to confirm it and record it in a special chronicle and give the second copy to the concerning persons and keep the third one, and sending the first copy to the special health authority within fifteen days to record it in the birth chronicle and send it to the special civilian affairs office.

**B) –**The delivering physician, the nurse or the midwife who have permits, when they perform delivery operations outside the health institutions they must organize the certifications and offer them within thirty days from the date of the performing the operation inside the cities and forty five days from the date of performing it in the villages and the country side, and the health authority has to confirm it and record it in the birth chronicle and send the first copy to the civilian affairs office and the second one is sent to the delivering physician and keep the third copy.

## **Article four:-**

The concerning person who care for the baby or who present the birth or one of the baby's relatives must call the health authority within fifteen days from the birth to ensure and release a birth certification and send the first copy to the civilian affairs office, the second copy to the concerning persons and keep the third one.

## **Article five:-**

- 1- The concerning individuals who care for the baby outside the country must call the Iraqi's consulate or any one

who represents them or the health authority in Iraq within sixty days from the date of the birth to release a certification.

**A) –** Iraqi's consulate or any one that represents it must release a certification according to the official confessor for foreign certification in the country that the birth happened in, and send the first copy to the computing management in the ministry and deliver the second to the concerning persons and keep the third one in a special chronicle.

**B) –** The computing management send the imported certifications from the Iraqi consulate or any one that represents it to the special health authority to record it and send it to the civilian affairs office.

3-The special health authority provide after the legal limited period has ended, the certification according to the official confessor for foreign birth certificates in the country of the birth confirms it, translates it in the case of providing it in another language according to the rules of the law.

### **Article six:-**

The information in the birth certification must be written according to the certifications of the parents or their civilian affairs documents if it found, and signed by the government, if there is any excuse to losing the previous mentioned documents, the information will be written according to the information offered from the parents according to official documents.

## **The death**

### **Article seven:-**

The curing doctor must organize within twenty four hours of disclosing of the body a death certification if the death happened inside the official or unofficial health institutions, and he must confirm the death, the second copy is given to the relatives and the extra two copies are sent to the special health authorities within fifteen days to affirm it and record it in the death chronicle and send the first copy to the special civilian affairs office and the third one is sent to the curing doctor.

### **Article eight:-**

The curing doctor must organize within twenty four hours of disclosing of the body a death certification if the death happened out side the health institutions and he must confirm the death, and the second copy is sent to the relatives and the extra two copies are sent to the special health authorities within fifteen days to affirm it and record it in the death chronicle and send the first copy to the civilian affairs office and the third one is sent to the curing doctor.

### **Article nine:-**

The forth degree dead person's relatives must consulate the nearest official health institution in the case of the absence of the curing doctor to disclose the body and confirm the death and if it happened due to normal reasons and organize a certification about that and affirm it, the second copy is sent to the relatives of the dead person and the third one is kept and the first one is sent to the special health authorities within fifteen days to record it in the deaths chronicles and send it to the civilian affairs office.

### **Article ten:-**

#### **First: -**

If the death happened outside Iraq, then the forth degree relatives of the dead person or others must consulate the Iraqi's consulate or anyone that represents it or the special health authority in Iraq within forty five days to release a certification.

#### **Second: -**

The Iraqi's consulate or anyone represents it or the health authority should release a certification in three copies according to the official confessor for foreign death certifications in the country of the death and affirm it and translate it if it is written in another language.

### **Third: -**

The Iraqi's consulate sends the first copy of the certification to the computing management in the ministry and delivers the second one to the concerning persons and keeps the third one in a special chronicle.

The computing management in the ministry sends the certification to the special health authority to record it and sends it to the civilian affairs office.

### **Article eleven:-**

The information must be written in the death certification according to the birth certification or the civilian affairs documents and signed by the government, if there were any excuses to losing the previous mentioned documents then the information will be written according to the certifications of the parents or any other documents offered from the concerning persons.

### **Article twelve:-**

The following institutions should organize a death certification in three copies according to the seventh subject of this law with an exception of the limited period:-

- 1- The forensic medicine institutions for the death cases that are send to it from different investigation authorities.
- 2- The doctors that perform an execution operation for the death penalty convicted persons.

- 3- The prison's health institutions for the dead from the arrested persons, and the prisoners inside the prisons.
- 4- The management of the medical affairs in the ministry of defense or the management of medical affairs or the medical institutions brought under the military forces for the military forces relatives inside their health institutions.
- 5- The management of administering in the ministry of defense and public police management and boars force's commanders and public army commanders for the actions kills of the army and the police and the board forces and the popular army if there is an excuse to organize a death certification for them, then consider an affirming letter from release from the previous mention institution as death certification and record their texts in death chronicle.
- 6- The special healthy authority for organizing a death certification for the Arabic Fedaei organizations kills during the holy duty according to an official letter from the previous mention organizations whose official confessor from Iraqi's authority.

### **Article thirteen:-**

#### **First:-**

The doctors of medical mission follows the pilgrims of Mecca to organize death certification with three copies according to the rules that law for the pilgrims that die during the pilgrimage from the Iraqi's or the foreign persons living in Iraq and deliver the second copy to the concerning.

#### **Second:-**

The doctors when return the medical mission to Iraq deliver the first copy of the death certification to the special healthy authority during seven days from the date of their return to Iraq.

## **Article fourteen:-**

Not allowed to burying a body until getting the certification and record from the responsible man of the cemetery in private chronicle.

## **Article fifteen:-**

### **First:-**

The healthy authority record the previous mention in this law and send the first copy to the civilian affairs office during fifteen days from the date of release it.

### **Second:-**

If organize a birthing and death certification without calling during the limited legal interval written in this law , so the concerning persons should consult the special healthy authority to record the certification and the healthy authority should record , after be sure from their texts and having a monetary stamp from five Dinars category sticking on the certification.

### **Third:-**

Sending the recording certification according the item (2) from this subject to civilian affairs office during fifteen days from the date of import an asking from the concerning person to the local authority.

## **Article sixteen:-**

### **First:-**

The special healthy authority record the birthing and deaths that will not release a certification to them according to excuse or a decision from the civilian affair court after having a delaying payment as monetary stamp from five Dinars category for one birthing or death case and stamping it, consider the excuse or the decision of the court as an announced basing to it in the civilian affair office when they record the certification.

## **Second: -**

For the minister of the fairness basing on the suggestions from the minister of the health, give the commission to any of the representing consulate of the republic of Iraq the ability as a judge for the purpose of applying the rules of the item (1) from this subject.

## **Third: -**

Take care about what issue from the Iraqi consulate from decision according to the ability that he commissioned according to the rules of the item (2) from this subject the follow rules:-

**A) -**The consulate should commit with the issue decisions and the rules of the laws and the common regulations and the proofing rules that written in civilian lawsuit law number (83) to the year 1969 for special also with the terminal legal decisions.

**B) -**Take the opinion of the civilian affairs office about the offering lawsuit that considering with their specialties and abilities.

**C) -**For the concerning persons the right of object about the decision of the consulate and for other concerning persons the right to object about the both of them in the commencing court or the personal items court in the city of Baghdad according to the specialty of each one of them.

**D) -**Follow the basing law rules in the civilian lawsuit about what concerning with the object to the decision of the consulate and the commencing court and the personal items court according the specialty of each one of them.

**E) -**The consulate should take care with the rules of Vienna protocols for the consular affairs affirming it with the law number 203 to the year 1968 as much as concerning with his ability without defaulting with his duties that written in the same protocols.

## **Article seventeen:-**



The decision of birthing or death should including the following information:

- 1- The name of birthing or deadly person and his last name if it is exist.
- 2- The sex.
- 3- The truth name of father and grand father.
- 4- The name of the mother and the incorrect grand father name.
- 5- The religion.
- 6- The date of birthing or death in day, month and year.
- 7- The place of birthing or death.
- 8- The number of paper and chronicle and government if it is exist.
- 9- The address of the birthing or deadly person.

### **Article eighteen:-**

The civilian affairs office should record the birthing or death that required the previous mention conditions according to the decision or commencing reasons during seven days of the date of delivery.

### **Article nineteen:-**

#### **First: -**

The juvenile's court should send to the ministry a copy from the decision that issue it to giving a name for the foundling and the unknown families and give him a title (family name) and fixed the date and the place of his birthing and the institution that lodge him.

#### **Second: -**

The ministry should organize a certification to the foundling and the unknown person in three copies , send the first one to the popularly management of the civilian affairs and the second to the

juveniles court in secrecy during seven days from the decision arrival day and keep the third one within.

### **Article twenty:-**

If the baby birth dead after seven month or more there should organize a dead birthing certification in three copies from the disclosing doctor to be ensure from the deadly birthing.

### **Article twenty-one:-**

#### **First:-**

To any institution that ordered to release, organize, sign or affirm the certification of birthing or death, they should have a special chronicle writing in it all the information that imported in the certification.

#### **Second:-**

Not allow to change or replace the imported information in the birthing or death certifications. To the chronicles of the birthing and the death or add the evincing unless basing to a terminal rules issue from the special court.

#### **Third:-**

Except for the rules of the item (2) from this article, it is allowed to correct the error of the names that imported in the birthing and death certifications from the special healthy authority. According to an asking for the civilian affairs office basing to the personal card or a copy of family document that affirmed by them , the correction will except to the sending copy and the chronicle.

#### **Fourth:-**

Not allow for make a correction for the chronicle during the writing of information from the certification to the chronicle unless finding of affirming from the chief management of the healthy institution after sign from the special official or for the correction and additional.

## **Fifth: -**

The managers of the healthy institution should be ensure from the appliance of the rules of this law in their management.

## **Article twenty-two: -**

Appliance the legal texts based to the ruling of the cases when breaking this law.

## **Article twenty-three:-**

The allegation side should response with the spending payments for the raising lawsuit according to the law.

## **Article twenty-four:-**

Allow to provide the concerning persons with a copy of birthing or death documents full of with the information that written in the chronicle according to a design adopted from the minister.

## **Article twenty-five:-**

Allow to issue a rules and regulations that simplify the work with this law.

## **Article twenty-six:-**

Work with this law from the date of its publishing in the official newspaper.

## **Article twenty-seven:-**

The ministers should work with that law.

Saddam Hussein  
The Chairman of the Revolution Command Council

## **THE FORCING REASONS**

There is a necessary to find a special legalization to organize the birthing and death recording and dealing with all cases and problems that facing it .cite with working legalizations in the adjacent country and other to be ensure with that so legalist this law.

## **Decision number 652**

**In name of people  
The revolutionary command council**

According to the legalizations of the item(a) from the article 42 from the temporary constitution. The revolution command council decides in his convening assembly on the fourth of may 1980.  
The following law has been approved:-

### **Law Number (99) to the year 1980 The protecting from ionic radiation**

#### **Article one:-**

The following expression mean:-

1- Radiation-- The ionic radiation.

2-The radiation source--The materials that got an ionic radiation action and the generating equipment that make a danger for the health and popularly safety of the environment.

3-The radiation dangers --The case of infected the human to radiation source for a magnitude exceed the allowance magnitude that limited from the corps.

4-The contamination--The sediment or fallen radiation materials on the body of the human or defusing in the environment in magnitude exceed the allowance that limited from the corps.

5-The accident-- The case of infected the human or the environment with the radiation source for a big magnitudes passing the maximum allowance or the full or partial contamination for the institution and the environment.

6- The protection device-- All the scientific and technical devices and styles using to protecting the human and the environment.

7-The worker in radiation--The person dealing with the radiation or works wit it.

8-The source owner--The person or the institution that owned or using or making the radiation sources.

## **Article two:-**

Proceed with these adjudgments of this law by the state facilities and the socialist, conglomerate and private sections that all dealing with the peaceful purposes ionic radiation sources also the workers in there.

## **Article three:-**

Not allow to the person that own or use or make or store or carry or buy or sell or export or import or possess or do any action with the ionic radiation source without gut a permission to do that according to the rules of this law.

## **Article four:-**

### ***First:-***

Forming corps calls (The protecting from radiation corps) attach with the chairman of the environment protection council contain with the following:

**A)** –The vice-chairman of the environment protection council – as chairman.

**B)** –Two representatives of the atomic energy organization nominate by the chairman – as members.

**C)** –A specialist in radiation field nominate by minister of the health—as member.

**D)** –The manager of the protecting from radiation center --- as member and decider.

***Second: -***

Organize the meeting of the corps and the ability to take the decisions by regulations for that purpose.

***Third: -***Offering the decisions to the chairman of the environment protection council to affirm it before the running.

***Fourth: -***The corps should involve with the drawing of the policy of the radiation protecting field and put the plans and the programs and proceed with their running and intending to the radiation protecting actions.

***Fifth: -***The agreement for the following:

**A)** –The choosing of constructing and sorting places of the radiation sources.

**B)** –The designing of the radiation sources and the projects and the facilities that attach with it.

## **Article five:-**

**First:-**establishing according this law a center calls (radiation protecting center) attach with the chairman of the corps.

**Second:-**define the frames of the center and its specialties according to the regulations issue from the corps.

**Third:-**manage the center by a manager choosing from the chairman of radiation protection council, with a condition to be a specialist in radiation field and become the direct manager to the center , issued the rules and the regulation in his name and he should run the decisions of the corps.

**Fourth:-**to the center an independent budget produce it the manager of the center , affirm it by the radiation protecting corps, finance it from the popular budget of the statement as an annual grant specialize for this purpose.

## **Article six:-**

The center should involve with the censorship of the using of radiation sources to all peace using and guarantee the protection of infected with it and the contamination with it, for this purpose should do the following:

- 1- Define the radiation sources that brought under the license and that not brought under it in a official announce publish in the official newspaper.
- 2- Give a license for dealing with the radiation sources that mentioned in article (3) of this law.
- 3- Commissioned for the experimental operating for the radiation sources.
- 4- Commissioned for the continual operating for the radiation sources.



- 5- The agreement for working the persons in radiation fields, with a condition that their age will not less than eighteen.

### **Article seven:-**

**First:-** The corps should issue the regulations that define the conditions of giving the license with the follows procedures.

**Second:-** Not allow to proceed with any procedure breaking the license conditions until gut an agreement from the center.

### **Article eight:-**

The corps should issues a numerical statements including the radiation sources and the protection devices and the measuring unites and the limited maximum allowance magnitudes of the radiation or the contamination, also the maximum allowance magnitudes of the concentration of the radiation materials in air and water, take care with the regulations and rules of the international committee of the atomic energy and the other concerning international organizations.

### **Article nine:-**

Define the rules of carrying the radiation sources by a regulations issue from the corps , take care with the commandments of the international committee of the atomic energy and the other concerning international organizations, this regulations organize the following :

- 1- Signing the radiation sources.
- 2- The safety carrying to the radiation sources.
- 3- The storing of the radiation sources.
- 4- The terminating of the radiation sources.

### **Article ten:-**

The corps issue regulations that including the protective devices that should take it to avoid the location and popular accident and

the procedures and the details plans that that should take to avoid the consequences of these accidents.

### **Article eleven:-**

**First** – the center should send according to schedule inspection committee to all brought under locations to this law and to be ensure from the following:

- A)** –The workers and the institutions and the owner should have a license according to this law.
- B)** –The validity of the working areas and the protection devices.
- C)** –Obeying the rules of this law and the regulations, announces and the decisions that issues according to it.

### **Second: -**

**A)** –If approve the contravention of the owner to the rules of this law and the regulations, announces and the decisions that issues according to it, the inspection committee should alert him to the binding of terminating this contravention during limited interval not to pass thirty days, the owner should write that in an inspection file that having according to the regulations.

**B)** –The inspection committee should confiscate the not commissioning radiation sources and the commissioning sources that make a danger, it should take an instant procedure and they can have recourse to the formal institutions to simplifying the enforcing of their decision.

### **Article twelve:-**

The owner of the source should commit with the following:

- 1- Not employ the not commissioning persons from the center.
- 2- Having the license that mentioned in subject-6- in this law.
- 3- Doing the requirements and the protective devices that define by the center.

- 4- Commit with the maximum radiation magnitudes and the radiation materials concentration that allowed according to the regulations.
- 5- Insuring to hold the first and the periodic medical test for the worker in the radiation according to the regulation and on his own expense.
- 6- Produce the reports that required by the center according to the regulations.
- 7- Nominate a response person for the protection from the radiation source but the agreement from the center according to the regulations.
- 8- Give the workers in the radiation the rights that listed in this law and the other laws.
- 9- Calling the center at once” if there is a losing or stealing to one of the radiation sources or happened an accident that threat the human or the environment to the danger of radiation or contamination .

### **Article thirteen:-**

**First:-**Consider the owner “and no one else” the responsible to compensate for all the damages that actually require by the radiation source and consider the owner responsibility of that that assumption according to the law.

### **Second: -**

Not allow to ask for compensation after ten years of the accident.

### **Third: -**

With the care to the item (first) from this article, the worker can ask for compensation during ten years from the date of his breaking work for the owner.

## **Fourth:-**

To the owner the right to back by what he was pay as a compensation according to the rules of the item (first) from this subject.

## **Article fourteen:-**

### **First:-**

the hours of work should not pass to thirty five hours per a week according to the regulations, if the necessities of the work require an over time working (with a condition that not pass the dealing with the radiation to the maximum allowance limiting). So that to the chairman of the environment protection council or any person who represents him agree on the issue, pay to the worker in radiation an over time payments.

### **Second:-**

the worker in radiation deserve a regular breaking with full payment as one day for ten days from his serving interval as well as he should get a breaking for twenty one days for what he deserving for his annual regular breaking.

## **Article fifteen:-**

Give to the worker in the radiation a substitute protecting payments as thirty per cent (30%) from the nominal payment that should be not less than fifteen Dinar per a month, this payments will not brought under the rules of the official payment law.

## **Article sixteen:-**

Adding thirty per cent of the actually services(30%)for a retirement purposes for the radiation worker that he spend five years in actually service spending before or after the satisfied of this law in the formal or socialist section institutions.

## **Article seventeen:-**

**First:-** The worker in the radiation deserve except to what it was mentioned in subject-13- from this law a retirement payment equal to his last nominal payment with expensiveness living payments , or the total of last monthly payment since the injuring with permanent invalid ness during the work causing for his retirement according to a report to a medical committee.

**Second:-** If the workers in radiation die during the service or because of it then the item (first) from this subject will satisfy for his family.

## **Article eighteen:-**

According to a suggestion from the corps and a order issues from the minister of the health, form a special medical committee in the center with chairmanship of its chairman and a membership of two of specialist in radiation doctors specialize with the following:

- 1- Affirm the accident and the radiation infection.
- 2- Decide the diagnosing and the medical curing in the cases that mentioned in item (First) from the subject-17- , if it should happened inside or outside the country on the owner expense.
- 3- Give to the workers in radiation a full payment breaking not pass to six months from the date of accident or getting the danger of the radiation without consider it as regular or sickness breaking.
- 4- Affirm to alienate the workers from the working in the radiation sources temporary or permanent and the recommendation of charging them with other jobs.
- 5- The recommendation to relegate the worker in radiation to the retirement as a result of damage in radiation.

### **Article nineteen:-**

The worker in radiation that commissioned for studying or in scientific mission or fellowship inside or outside the country still gets the payments that listed in this law and the other rights if the nature of his job threatens him to danger of the radiation.

### **Article twenty:-**

Without breaking with any other harder penalty , any one breaking the rules of this law and the regulations and the announces that issue from according to it will punish in putting in jail for a limited interval not pass to one year or a fine not pass to two thousands Dinars or with both the two penalties.

### **Article twenty-one:-**

Abut what mentioned in the special legal text of this law; apply for the worker in the radiation, the civilian service law and civilian retirement law and the law of work and the law of retirement and social ensuring for workers.

### **Article twenty-two:-**

Cancel the law of protecting from the ionic radiation number (80) for the year 1971.

### **Article twenty-three:-**

It is allowed to issue regulations and rules and statements that simplifying the implementation of this law.

### **Article twenty-four:-**

This law is executed from the date it is published in an official newspaper.

Saddam Hussein  
President of the Revolutionary Command Council

## **THE FORCING REASONS**

Because of the huge expansion that happened in the country in the fields of safety using to the sources and materials that have the ionic radiation actives. Proofing to find a big danger from dealing the human and the environment to the sources and the materials and the possibility of their influences to the next generations , so there is a necessities to re-look to the organized adjudgment for uses these sources and produce a new law organize the censorship and the control of the radiation sources ,forming corpses with wide

abilities to observe continuously and scientifically to the uses of the sources to ensure civilian healthy from the danger and the accidents and contamination in the environment.

Wherever that the radiation sources make a danger as itself so decide the responsibility of the owners of the radiation sources for just find the connection between the damage and the radiation sources.

Also organize the ability to provide a guarantees for the workers in radiation field and for their families, so it legalize a special adjudgments to make them characteristic from the other workers in the state and arrange for them a special commitments to the owner of the source as a guarantee for their dealing with this dangerous materials and equipment , also listed a special adjudgments consider with their regular breaking and the diagnosing and the curing inside or outside the country and the compensation for the injuries that infected them during the work or because of it.

Finally the law was uniting the applicable adjudgments for the workers in the ionic radiation field, to require all that, the law legalized.



## **Decision number 274**

### **In the name of people The Revolutionary command council**

According to the rules of item(a) from the article 42 of the temporary constitution.

The Revolutionary Command Council decided in his convening assembly on the fifth of March 1984 to issue the following law:

### **Number (25) to the year 1984** **Law (1)**

### **Establishing Private** **Hospitals**

#### **Article one:-**

The purpose of this law is the expanding the medical services provided and to benefit from the experience of the physicians that provide these services in the governmental health institutions specially the retired physicians, also encouraging the initiative of developing health services for the civilians, and this is accomplished by establishing limited companies to form private hospitals.

#### **Article two:-**

It is permitted for at least four of the Iraqi physicians, who are practicing medicine in the governmental health institutions, for a period of fifteen years, to submit a request to the ministry of the health to approve the establishing of a limited company to form a hospital.

### **Article three:-**

The state can loan the company with a sum of money that does not exceed sixty percent (60%) from the total hospital's expense, on the condition that the loan should not exceed (750000) seven hundred and fifty thousands Dinars with an interest of (1.5%) one and half per cent, and the loan should be repaid with the interests within fifteen years beginning from the end of the third year from the date of beginning to provide health services.

### **Article four:-**

The state should give an area of land (without charge) in a proper location to build the hospital.

### **Article five:-**

It is not allowed to make any perform any transitional deals concerning the ownership of the hospital before fifteen years from the date of beginning to provide health services.

### **Article six:-**

The ministry of health should put the rules and regulations that define the hospital's monitoring department with consideration to the public health law.

### **Article seven:-**

**First:-**The minister of the health should provide the hospital with the drugs in the same price that it is provide the informal pharmacies.

**Second:-**Importing the medical equipment when the hospital is established by the company if they were not available in the ministry of health.

### **Article eight:-**

The hospitals are exempted from the revenue tax for the period three years from the date it started to provide the health services.

### **Article nine:-**

The member of the company is not permitted to combine between the work in the governmental institutions, socialistic and mixed sectors and the private hospitals according to this law, and they are not allowed to open private clinics in these hospitals.

### **Article ten:-**

***First:-*** The physicians are relegated to retirement if their hospitals are permitted according to this law from the date that the hospital began to provide health services.

***Second:-*** The concerning individuals in item (one) of this article should commit to their work in these hospitals according to this law for at least ten years from the date of their retirement, or they be returned to the service in the ministry of the health with the payment and degree that they deserve legally, also they should sell their hospital shares to the individual that meets the conditions mentioned.

### **Article eleven:-**

It is allowed to employ foreign individuals as medical work hands their numbers must not exceed 20% for the medical professionals, 30% for the health professionals and 20% for the technician workers, this article is applied until 1994.

### **Article twelve:-**

The ministry of the health should ensure the necessities of the hospital by providing it with medical and health profession's working hands, according to the law of civil services.

### **Article thirteen:-**

The company is dissolved if it didn't satisfy one of these cases:-

- 1- If the number of the members became less than four, and did not complete the required number according to article (fourteen) of this law.
- 2- If the company change the purposes that it was established for.
- 3- If the hospital stopped for one continuance year from providing health services without legal excuse.

### **Article fourteen:-**

- 1- If the number of the members became less than four, and no one requested to complete the required number within one year from the date they became less than four, the remaining members should dissolve the company.
- 2- If the other members of the company did not dissolve the company within six months from the date that the period mentioned previously ended, the company should dissolve according to the rules of the law and depending on a request made by the ministry of health.

### **Article fifteen:-**

If one of the members die, his heirs or some of them have a right to keep their shares and they should appoint a new member to perform the responsibilities of the deceased member, and the appointed member must satisfy the conditions that are mentioned in article two of this law or the heirs should sell their shares to someone who satisfies these conditions.

### **Article sixteen:-**

If there is a decision to dissolve the company according to article thirteen of this law before fifteen years has passed from the date it began to provide health services, the state should receive in one whole payment the remaining sum of the loan adding the sum that represents the difference between the interest price of the loan the

legal interest price with the value of the land at the date it is dissolved.

### **Article seventeen:-**

If there is a decision to dissolve the company before fifteen years has passed from the date it began to provide healthy services, it is allowed for the ministry of health to repossess the hospital with the value that is defined by a special court according to the repossessing law, with the consideration of the rules of article sixteen of this law.

### **Article eighteen:-**

**First:-** The rules of this law does not forbid the establishing of private hospitals according to the rules of the second chapter from the third unit of the public health law number 89 for the year 1981.

**Second:-** The rules of the second chapter from the third unit of the public health law for establishing private hospitals are implemented according to this law on the issues that do not have legal statements.

### **Article nineteen:-**

Implementing the rules of the companies law number 36 for the year 1983 in the issues that are not stated in this law.

### **Article twenty:-**

The health minister has the ability to issue the regulations that facilitate the implementation of this law.

### **Article twenty-one:-**

This law is executed from the date it is published in an official newspaper.

Saddam Hussein  
President of the Revolutionary Command Council

## **THE FORCING REASONS**

For the purpose of expanding the medical services provided for the civilians, and benefiting from the experiences of the physicians that provide these services in governmental health institutions or the expertise of the retired physicians their service not less than fifteen years, and to encourage the initiative of establishing private hospitals.

This law was enacted.

## **Decision number 776**

**In the name of people**  
**The Revolutionary Command Council**

According the rules of section (a) of article forty-two from the temporary constitution

The Revolutionary Command Council decided in his convening assembly on the ninth of June 1981.

To issue the following law:-

## Number (60) to the year 1981

### The law (1)

## The kidney transplant operations

### Article one:-

It is allowed to perform kidney transplant operations and the kidneys are supplied from:-

- A)** -The individuals who donate their kidneys or recommend it.
- B)** -The individuals who are executed.
- C)** -The individuals that dissected for scientific or legal purposes.
- D)** -The individuals that are incurred with functional death (the full brain death, according to the electrocardiography).
- E)** -The dead individuals in the hospital, after gaining the approval from their first degree relatives or one of the second degree brothers.

### Article two:-

It is not allowed to eradicate the kidneys according to this law except if it was performed by a licensed physician in a special hospital.

### Article three:-

It is allowed to issue regulations that facilitate the implementation of this law.

### Article four:-

This law is executed from the date it is issued in an official newspaper.



Saddam Hussein  
President of the Revolutionary Command Council

## **THE FORCING REASONS**

To succeed in the kidney transplant operations and to help the patients that are infected with this terminal kidney deficiency, who are not provided with donors, and to benefit from the deceased's kidneys.

This law was enacted.

**Law Number (113) for the year**  
**1970**

**The eye banks**

**In the name of people**  
**The republic's presidency**

According to the rules of article fifty of the temporary constitution, based on what was presented by the health minister and decided by the Revolutionary Command Council.

We issued the following law:-

**Article one:-**

Establishing eye banks in both the republic and the ophthalmic hospitals in Baghdad and it is allowed to establish banks in other hospitals according to a decision made by the minister of health.

**Article two:-**

These banks will get the eyes from the following sources:-

- 1- The eyes of the individuals who donate their eyes or recommend it.
- 2- The eyes of the individuals who had them eradicated.
- 3- The eyes of the deceased individuals in convalescence homes and old age homes, and the eyes of the deceased individuals who are buried by the capital secretariat.
- 4- The eyes of the individuals who are executed.
- 5- The eyes of the deceased individuals in the mental hospitals in cases that they did not find anyone to bury them.

### **Article three:-**

It is conditioned for the cases that are listed in item (1) of the last article, to have a written authorization from the donors or the recommended individuals when they are in perfect competence, to satisfy this rule for the cases of item (2) if the person was under age or his competence was imperfect then he should get a written authorization from the relatives, and this is not a condition with in the other cases that are listed in this article.

### **Article four:-**

It is not allowed to eradicating the eyes, according to rules of this law except by a licensed physician in a hospital is permitted to establish eyes banks.

### **Article five:-**

Punishing any person who breaks the rules of this law with imprisonment for a period that does not exceed one year and with a fine not more than two hundreds Dinars or with both of the penalties, if there is a another legal punishment the most sever punishment will be applied.

### **Article six:-**

It is allowed to issue rules to facilitate the implementation of this law and the minister of health has the ability to issue regulations for this purpose.

### **Article seven:-**

This law was executed from the date it was published in an official newspaper.

### **Article eight:-**

The ministers should execute this law.

**W**ritten in Baghdad on the twenty eighth of (Rabieaa Alawel) for the year 1390 to the emigration, dated the twenty third of May for the year 1970.

Ahmed Hassan Al-Baker  
President of the Revolutionary Command Council

## **THE FORCING REASONS**

Due to the majority of corneas diseases cases in Iraq and what it take to cure them from performing transplant cornea operations from other eyes, and this requires to eradicate the eyes and appoint its sources and ensure its keeping for the mentioned purpose .

For this purpose, this law was enacted.

# **Law Number (68) to the year** **1965**

## **The law of the drugs**

**In the name of people**  
**The republic's presidency**

According to the rules of the temporary constitution and based on the presentation made by the health minister and with the agreement of the ministers council and the patriotic council of the revolutionary commandment.

The following law was approved: -

### **Article one:-**

The following Terms mean:-

- 1- The lonely agreement: - The only drug agreement for the year 1961 signed in New York in 30-3-1961 affirmed with the law (16) to the year 1962.
- 2- The hemp: - The flowered edges or the fruit from the hemp plant (with out the seed and the leaves that have no edges) that not extract the resin from it whatever it called.
- 3- The hemp resin: - The separate raw or the purified resin that extract from the hemp plant.
- 4- The hemp plant: - Any plant from the hemp sex.
- 5- The coca flower: - All the kinds of the flowers from the (Aretho chisiolin) sex.
- 6- The coca leaf: - The leaf of the coca flower except the leaf that extracted the cocaine from it and all the kinds of the (Ichonin) flowers.

- 7- The agriculture: - The agriculture of opium hemp and coca flower and hemp plant and quat.
- 8- The drug: - Any natural materials or formula from the materials that listed in the two attachment tables with this law.
- 9- The illegal trading: - The agriculture of the drugs or the trading with it breaking to this law.
- 10- The import and the export:- Carrying the drugs from country to the other considering the export and the re-export of the drugs unless proofing the reverse .
- 11- The making: - All the operations except the producing that form the drugs include the purifying and the transformation of the drug to other drug, consider the transform of the drug from kind to kind transformation for the first kind and making for the second one.
- 12- The medical opium: - The opium that pass through the require operations to prepare it for the medical uses.
- 13- The opium: - The lactic squeezes of the poppy hemp.
- 14- The poppy hemp:- The flowers of the sleeping poppy kinds.
- 15- The poppy thatch: - All the parts of the opium poppy after the cropping (except the seeds).
- 16- The compound:- Any kind of solid or liquid mixture having a drug.
- 17- The production: - Separate the opium and the coca leaves and the hemp and resin hemp from its plants.
- 18- The first table and the second table and the third table and the fourth table:- The lists of the drugs and the compounds that attach with this law that could change it from time to time according to the adjudges of the subject (13) of this law.

- 19- The trading :- The production and the making and the extracting and the proceeding and having and the offering for sell and distribute and buy and delivering in any case and sending and carrying in transit or in transporting and import and export and brokerage between the producer and buyer.
- 20- The ministry:- The ministry of the health.
- 21- Drugs affairs office:- The management of the drugs affairs in the management of popular police.

### **Article two:-**

- 1- It is not allowed to farm the hemp plant, the opium poppy plant, the flower of coca and the quat plant in Iraq.
- 2- The management authorities should take the necessary performances to extirpate the mentioned plants in item (1) of this article, whether they are illegally farmed or they are wild and extirpate them under the supervision of agricultural specialists from the ministry of agriculture.

### **Article three:-**

The rules of this law are applied on the following products:-

- 1- All the drugs that are mentioned in the lists (1, 2, 3, 4) supplement to this law with consideration for the explaining statement that is mentioned in list (3).
- 2- The other drugs that are applied with the rules of the only drug agreement that is certified with law number (16) for the year 1962.

### **Article four:-**

- 1- Limiting the manufacturing of any kind of drugs that are mentioned in the third article of this law in the permitted institutions and shops.



- 2- The individual that wants to manufacture any kind of drug mentioned in item (1) of this article, has to have a license issued from the ministry after conferring with drug affairs office.
- 3- Defining the methods of drug manufacturing and observing them with a system.

## **Article five:-**

### **First:-**

The ministry of health's importing, trading of drugs and selling them to permitted individuals and governmental institutions is limited for the following drugs in the quantities it finds appropriate:-

**A) -**All the drugs and its salts that are mentioned in list (4) supplement to this law and the compounds that contain the drugs or its salts.

**B) -**The coca leaf and the cocaine and its salts and the compounds that contain it, also the compounds that are made from the coca leaf directly and contain cocaine and Ichonin Ithars and its salts that are made from the coca leaves.

**C) -**Any kind of drugs appointed in a statement published by the ministry in the official newspapers.

### **Second: -**

The ministry can ban the trading with the drugs that are listed in this law only if they were in the defined quantities necessary for just the scientific and medical researches including the clinical tests that are preformed by these drugs, and these tests should be supervised by the ministry and under its direct censorship and control.

### **Third: -**

It is not permitted to import any of the products mentioned in article three of this law before obtaining a special license from the ministry to import it, and convince the ministry with the necessity

of the imported quantities, and it should be mentioned in the importing licenses the quantity and the name of the drugs imported (the international name and not the traditional name) and the name of the importer and the name of the manufacturer and his address and the importing period, and it is allowed to import the drugs in one shipment or more within the limited period.

#### **Fourth: -**

The ministry should provide the drug's affairs office with the names of the permitted individuals who have a license for importing the drugs according to the rules of this article.

### **Article six:-**

#### **First: -**

The Iraqi government exports any of the materials that are mentioned in item (1) of the fifth article of this law to the governments of the countries that do not manufacture such materials and the importing government should be responsible for the distribution of these materials.

#### **Second: -**

It is not allowed to export any of the materials that are mentioned in the third article before obtaining a license from the ministry that should mention the name of the drug (the international name and not the traditional name) and the quantity wanted for exportation, the name of the source and its address and the name of exporter and his address, provide the drugs affairs office with the previous information.

#### **Third: -**

The ministry should ask from the individual or the shop that wants an exporting license to present an importing license from the importing country's government that includes its approval.

#### **Fourth: -**

Appointing in the exporting license the materials that are exported and mentioning the number of the importing license and its date and the giving authority.

### **Fifth:-**

Sending with the shipment a copy of the exporting license, the ministry should send a copy of it to the importing country.

### **Article seven:-**

- 1- Not allowing any shipment that contains any of the mentioned materials in the third article, exported from a country to another to pass in transit in Iraq or to carry it by ship or any other transportations, unless presenting the exporting license for the special authority, these rules are applied for the airplane transportation if the airplane is still in Iraq.
- 2- This rule is not applied for the materials that are mentioned in the third article for the mail.
- 3- It is not allowed to send any of the shipments that contain any of the drugs included in this law to any mail box or one of the banks if they are not mentioned in the exporting license.

### **Article eight:-**

**First:-**It is not allowed to obtain any of the materials that are mentioned in the third article except by the physicians, the dentists, the veterinary doctors, the pharmacists, the individuals who have permits, the drug stores and drug factories that have permits, the governmental health institutions or the institutions and the individuals permitted for this purpose.

**Second:-**Limiting the quantities of the materials that should be obtained by the individuals that are mentioned in item (1) of this article with a statement from the ministry.

**Third: -**Appointing the figure of the prescriptions for the drugs by regulations issued by the ministry, providing this prescription by the ministry or the professional unions that are permitted by the ministry.

**Fourth: -**Banning the individuals who are mentioned in item (1) of this article from the traditional license and the releasing of the prescriptions for a limiting period not less than one year and does not exceed five years or permanently if the ministry proofed the misconduct.

**Fifth: -**The international transportation by ships or airplanes with limited quantities of drugs that are used during the travel for first aid or in cases of emergency, for example importing or exporting operations or passing through a country according to this law cannot be achieved without local authorities holding an inspection with censorship devices on ships and air planes, and the supplying of drugs in the emergency cases, are not considered violations to this law.

## **Article nine: -**

### **First: -**

For any individual permitted to trade as mentioned in the third article of this law, he has to perform the following:-

**A) -**Recording in the formal chronicle that is provided by the ministry for a price, all the imported drugs or the locally bought drugs and the delivering, the selling and the manufacturing of drugs according to a prescription or any other way within twenty four hours from the time he received these materials, and he should keep the chronicles for five years from the date of the last record in his shop, preparing it for inspection at any time.

**B) -**The drug factories and the drugs stores should provide at the end of December every year an annual list for the passing year based on the official list which is provided by the ministry for free, showing the exported, the manufactured, the

imported and the remaining quantities, it should organize this list according to the regulations which are published by the ministry from time to time, providing the drug affairs office with the same list.

**Second: -**The registrar and the permitted physician should have a chronicle for the prescriptions of the drugs, and this chronicle is defined by regulations issued by the ministry.

**Third: -**Defining the figure of the drugs chronicle, for the governmental health institutions with regulations issued by the ministry.

### **Article ten: -**

- 1- It is not allowed for the pharmacists to make a compound containing cocaine or its salts for eye use as droppings for external uses only, if the quantities of the cocaine or its salts that are contained in the compound exceeds 30 centigram, if the compound was for internal uses it should mix the cocaine or its salts with at least two other medical materials the quantity of the cocaine should not exceed 30 centigram for all the compound.
- 2- It is not allowed to remake the same prescription of the drugs until obtaining a new prescription according to the law of professional pharmacist and trading with the drugs.
- 3- The chronicles of the prescriptions of the drugs should be kept for three years at least, it could be inspected in any time.

### **Article eleven: -**

It is not allowed to trade with drugs or the compounds that contain drugs whatever its kind unless the vessels are addressed

and written upon them the ratio of the drugs that they contain and their international names, excluding the compounds that contain drugs which are made by a medical prescription from the physician.

## **Article twelve:-**

### **First:-**

The drug stores in Iraq must set serial numbers on the bottles of all the sold drugs, and it has to write in the selling records the price the drug was sold for and the bottle's serial number, and if the drugs were sold in ampules or similar contains then it is not an easy task to number these ampules and in this case the number is written on the package that contains it.

### **Second:-**

The medicine storages and the pharmacists permitted to sell the drugs without changing the containers that they were originally put in from the manufacturer, in this case it has to be written in the sales record the serial number written on the container that the drugs are sold in.

### **Third:-**

If the storage manager o the permitted pharmacist repackaged the dugs before selling them, in this case he has put a serial number on the container and the number must be written in the selling records according to the rules mentioned in section one of this article.

### **Fourth:-**

The rules of this article are applied on the drugs and their salts and it is not applied on the products that contain these drugs and their salts.

## **Article thirteen:-**

The minister of health can issue the necessary statements to facilitate the execution of this law or

performing the required amendments in the lists supplement to it.

## **Article fourteen:-**

### **First:-**

**A) –**The violator to the rules of one of the articles nine and ten of this law will be punished by paying a fine that does not exceed 200 dinars or with imprisonment for a period that does not exceed one year, or he maybe punished with both punishments.

**B) –**If an un permitted individual committed a violation he will be punished with execution or life Imprisonment with a fine that does not exceed ten thousand dinars and not less than three thousand dinars, and these violations are:-

**1 .** If he imported or exported any of the drugs mentioned in article three of this law, or if he manufactured or produced them for the purpose of selling these drugs, if he sold or delivered them to other people even if it was without pay and also if he took part in the mentioned deals.

**2 .** The ownership of the dugs mentioned in article three of this law, or buying them for the purposes of trading with these drugs.

**3 .** Planting the hemp, the coca flower, the quat and the hoppy hemp plants or transporting these plants during their growth with the seeds for the purpose of trading with it.

**C) –**The punishment will be death if the violator recommitted any of the violations mentioned in article (A, B) of this law, if he was already convicted for one of the violations.

**D) –The punishment will be death or life imprisonment with hard labor and a fee amount that does not exceed ten thousand dinars and not less than three thousand dinars, in the following cases:-**

**1 . If the individual led a group to commit the violations mentioned in sections(B—1, 2, 3) of this article.**

**2 . If the committed individual was an employee in the border tax office who is responsible for striving against drugs and responsible for monitoring its possession, or the public employees that are exposed to these products.**

**3 . If the convicted individual was a member in the Iraqi armed forces, recruited for them or worked for their benefit.**

### **Second: –**

**The individual is punished with imprisonment for a period that does not exceed fifteen years and not less than three years with a fine that does not exceed one thousand dinars and not less than five hundred dinars if he was found with the possession of the drugs mentioned in article three of this law, or if he planted the hemp, the hoppy hemp, the coca flower and the quat for the purpose of personal use, or if the convicted individual was a member of the Iraqi armed forces, recruited for them or worked for their benefit, in these cases the punishment will be life imprisonment or the imprisonment for the period not less than ten years and the fine amount that does not exceed two thousand dinars, and it is permitted to give the death penalty if the crime was committed while fighting the enemy.**

### **Third: –**

**The individual committing the crimes mentioned in sections one and two of the article will be punished with the punishments applied upon complete crimes.**

### **Fourth: –**

**The individual will be punished with imprisonment and with a fine that does not exceed one thousand dinars or**



one of the previous punishments if he commits the following:-

- 1 .** The individual who allows another person to take drugs in places related to him, even if it was without charge.
- 2 .** The individual who was found in a place where drug use was performed with or without his knowledge, and this is not applied on the husbands, wives, brother....ect. of the individual previously mentioned.

### **Fifth :-**

The individual who commits the following will be punished with a fine that does not exceed two hundred dinars:-

- 1.**The individual who violates another rule from the rules of this law.
- 2.**The individual who knew the existence of the hemp, poppy hemp, coca flower and quat plants in a near by farm for the purposes mentioned in this article and did not inform the nearest authorities.

### **Sixth :-**

In all the previous cases the possessed drugs will be confiscated and also equipment and transportation vehicles that were used in the crime, and destroying the plants that were planted in opposition to this law, and the court is permitted to close the places that the drugs were used, prepared or manufactured in for a period that does not exceed the year.

### **Seventh :-**

The government instead of signing the punishments mentioned in section two of this article can make the order of admitting the individual who is proven to be a drug addict due to a sickness in one of the clinics or health institutes that are defined by the ministry for this reason, so he can be treated for a period of six months and based on a request made by the public prosecutor or

**the convicted individual to be given a leave before the period has ended if it was proven that he was cured by a medical report issued from a medical committee in the clinic or institution he was admitted to.**

### **Eighth: -**

**The foreign rules will be applied in implementing the accustomed rules mentioned in article 139 from the punishments law, if the rules were issued from drug crimes punished according to this law.**

### **Article fifteen: -**

**The law of agriculture of Indian hemp poppy and opium poppy number (12) for the year 1933 and the law of the dangerous demesnes number (44) for the year 1938 and its amendments are annulled, the rules and the regulations that are issued according to it are valid until till they are replaced.**

### **Article sixteen: -**

**This law is executed from the date it was published in an official newspaper.**

### **Article seventeen: -**

**The ministers should execute this law.**

**Written in Baghdad on the sixth of Thu Al Heja for the year 1384, the eighth of April 1965.**

***The president of republic***

## SCHEDULES

### Schedule I

1.	ACETYLMETHADOL (3 - - acetoxy -6- - Dimethylamino-4, 4 - - diphenylheptane)
2.	ALLYIPRODINE (3 - - Allyl - - 1 - - methyl - - 1 - - phenyl - - 1- propionoxypiperidine)
3.	ALPHACETYLMETHADOL (alpha - - 3 - - acetoxy - - 6 - - dimethylamino - - 4, 4 - - diphenylheptane)
4.	ALPHAMEPRODINE (alpha - - 3 - - ethyl - - a - - methyl - - 4 - - phenyl - - 4 - - propionoxypiperidine)
5.	ALPHAMETHADOL (alpha- - 6 - - dimethyldamino - - 4 - - diphenyl - - 3 - - heptanol)
6.	ALPHAPRODINE (alpha - - 1 - - 3 - - dimethyl - - 4 - - phenyl - - 4 - - propionoxypiperidine)
7.	ANLERIDINE (1 - - , para- - aminophenethyl - - 4 - - phenylpiperidine - 1- carboxylic acid ethyl ester)
8.	BENZETHIDINE (1 - - (2 - - benzylloxyethyl - - 4 - - phenylpiperidine - 4- carboxylic acid ethyl ester)
9.	BENZYL MORPHINE ( 3 - benzylmorphine)

10.	BETAMEPRODINE (beta -3 – acetoxy - - 6 - - dimethylamino - - 4, 4 - - dophonylheptane)
11.	BETAMEPRODINE (beta - - 3 - - ethyl - - 1 - - methyl - - 4 - - phenyl - - 4 - - propionoxypiperidine)
12.	BETAMETHADOL (beta - - 6 - - dimethylamino – 4- 4- diphenyl - - 3 - - heptannol)
13.	BETAPRODINE (beta-1, 3- dimethy – 4 – pheny – 4- propionoxypiperidine)
14.	Cannabis and cannabis resin and extracts and tinctures of cannabis.
15.	CLONITAZENE (2 para- chlorbenzyl – 1- diethylaminoethy 1-5 – nitrobenzimidazole)
16.	COCA LEAF
17.	COCAINE (methyl ester of benzoylegonine)
18.	Concentrate of poppy straw (themateridl orising when poppy. Straw has entered into a process for the concentration of its alkaloids)
19.	DESOMORPHINE (dihydrodeoxyn. Orphine)
20.	DEXTROMORAMIDE ( ( + ) -4-12- methyl-4- OXO- 3,3 – diphenyl -4- (1- pyrrolidiny 1) butyl) morpholine)
21.	DIAMPROMIDI (N – 12- methylphonthylamino) propyl propionanilide)
22.	DIETHYLTHIAMBUTEUE (3- diethylamino-1, 1-di- (2' – thienyl) -1 – butane
23.	DIHYDROMORPHINE

24.	DIMENOXADOL
25.	DIMEPHEPTANOL (6- dimethylamino-4, 4- diphenyl- 3- heptand)
26.	DIMETHYLTHIAMBUTENE
27.	DIOXAPHETYL BUTYRATE (lethyl 4- morpholino -2- diphenyl butyrate)
28.	DIPHENOXYLATE (1- L3- cyano-3, 3- diphenylpropyl) -4- phenylpiperidine- 4- carboxylic acid ethyl ester)
29.	DIIPANONE (4,4- diphenyl – 6- piperidine – 3- heptanone)
30.	Ecgonine, its esters and derivatives which are convertible to egonine and cocaine
31.	ETHYLMETHYLTHIAMBUTENE (3- ethylmethylamino-1, 1-di- (2' thieny) -1 – butane)
32.	ETONITAZENE (1- diethylaminoethyl-2- para- ethoxybenzyl-5 – nicohenzimidazole)
33.	EXTOXERIDINE (1-12-2 hydroxythoxy) ethyl) 14- phenylpiperidine -4- carboxylic and acid ethyl ester)
34.	FURETHIDINE (1- (2- tetrahydrofuryloxyethy -4- phenylpiperidine -4- carboxylic and acid ethyl ester)
35.	HEROIN (diacetylmorphine)
36.	HYDROCODINE (dihydrocodeinone)
37.	HYDROMORPHINOL (14- hydroxydihydromorphine)

38.	HYDROMORPHONE (dihydromorphinone)
39.	HYDROXYPETHIDINE (4- meta- hydroxyphenyl-1- methylpiperidine-4- carboxylic acid ethyl ester)
40.	ISOMETHADONE (6- dimethylamino-5- methyl, -4- propionylpiperidine)
41.	KETOBENIDONE (L4- meta- hydroxyphenyl-1- methyl-4- propionylpiperidine)
42.	LEVOMETHORPHAN L (-) -3- methoxy- N- methylmorphinan)
43.	LEVOMORAMIDE L (-) -4- (2-methyl) -4- OXO-3, 3- dipheny) -4- (L-pyrrolidinyl) buthyl) morpholine)
44.	LEVOPHENACYLMORPHAN ( ( - -) -3- hydroxy- N- phenacylmorphinan)
45.	LEVORPHANOL ( ( - -) - - 3 - - hydroxy - - N- - methylmorphinan)
46.	METAZOCINE (2, - - hydroxy- - 2, 5, 9 - - trimethyl - - 6.7 - - bencomorphan)
47.	METHADONE (6 - - dimethylamino - - 4, 4- - diphenyl - - 3 - - heptanone)
48.	METHYLDESORPHINE (6- methyl- - delta 6 - - deoxymorphine)
49.	METHYLDIHDROMORPHINE (6- methyl dihydromorphine)
50.	1 - - methyl - - 4- - phenylpiperidine - - 4- - carboxylic acid

51.	METOPON (5 - - methyldihydromorphinone)
52.	MORPHERIDINE (1 - - (2- - morpholinoethyl - - 4- - phenylpiperidine - - 4 - - carboxylic acid ethyl ester)
53.	MORPHINE
54.	Morphine Methobromide and other pentavalent nitrogen morphine derivatives
55.	MORPHINE - - N- - Oxide
56.	MYROPHINE (myristylbenzylmorphine)
57.	NICOMORPHINE (3.6 - - dimicotinylmorphine)
58.	NORLEVORPHANOL ( ( - - ) - - 3 - - hydroxymorphinan)
59.	NORMETHADONE (6 - - dimethylamino - - 4, 4 - - diphenyl - - 3- hexanone)
60.	NORMORPHINE (dethylmorphine)
61.	OPIUM
62.	OXYCODONE (14- hydroxydihydrocodeinone)
63.	OXYMORPHINE (14- hydroxydihydrocodeinone)
64.	PETHIDINE (1 - - methyl - - 4- - phenylpiperidine - - 4- - carboxylic acidethyl ester)

65.	PHENADOXONE (6 - - morpholino - - 4, 4 - - diphenyl - - 3 - - heptanone)
66.	PHENAMPROMIDE (N - - (1 - - methyl - - 2 - - piperidinoethyl) propionanilide)
67.	PHENAZOCINE (2 - - hydroxy - - 5, 9 - - dimethyl - - 2 phenethyl - - 6.7 - - benzomorphan)
68.	PHENOMORPHAN (3 - - hydroxy- - N - - phenethylmorphinan)
69.	PHENOPERIDINE (1 - - (3 - - hydroxy - - 3 - - phenylpropyl) - - 4 - - phenylpiperidine- 1- carboxylic acid ethyl ester)
70.	PIMINODINE (1 - - phenyl - - 1 - - (3- phenylaminopropyl) piperidine -4- carboxylic acid ethyl ester)
71.	PROHEPTAZINE (1, 3 - - dimethyl - - 4 - - propionoxyazacycloheplane)
72.	PROPERIDINE (1 - - methyl - - 4- - phenylpiperidine - - 4- - carboxylic acid isopropyl ester)
73.	RACEMETHORPHAN ( (+) - - 3 - - hydroxy - - N - - methylmorphinan)
74.	RACEMORMIDE ( (+) - - 1 - - 12 - - methyl - - 4 - - oxo 3,3. diphenyl - - 4- - (1- pyrrolidiny) butyl, morpholine)
75.	RACEMORPHAN ( (+) - - 3 - - hydroxy - - N - - methylmorphinan)
76.	THEBACON (acetyldihydrocodeinone)
77.	THEBAINE



78.	TRIMEPERIDINE (1.2.5 - - trimethyl - - 4 - -)
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The isomers, unless specifically excepted, of the drugs in this schedule whenever the existence of such isomers is possible within the specific chemical designation.

## SCHEDULES

### Schedule II

1.	ACETHYLDIHYDROCODEINE
2.	CODEINE (3 – methymorphine)
3.	DIHYDROCODEINE
4.	ETHYLMORPHINE (3 – ethylmorphine)
5.	NORCODEINE (N – demethylcodiene)
6.	PHOLCODINE (morpholinylethymorphine)

And the isomers, unless specifically excepted, of the drugs in this schedule whenever the existence of such isomers is possible within the specific chemical designation.

The salts of the drugs listed in this schedule, including the salts of the isomers as provided above whenever the existence of such salts is possible.

## SCHEDULES

### **Schedule III**

1.	<p>Preparations of ACCTYLDIHYDROCODEINE Codeine, Dihydrocodeine, Ethylmorphine, Norcodein, and Pholcodeine</p> <p>And:</p> <p>a) Compounded with one or more other ingredients in such a way that the preparations has no or a negligible, risk of abuse, and in such a way that the drug cannot be recovered by readily applicable means or in a yield which would constitute a risk to public health.</p> <p>b) Containing not more than 100 milligrams of the drug per dosage unit and with a concentration of not more than 2.5 percent in undivided preparations.</p>
2.	Preparations of cocaine containing not more than 0.1 percent of cocaine calculated as cocaine base and compounded with one or more other ingredients in such a way that the preparation has no, or a negligible, risk of a base, and in such a way that the drug cannot be recovered by readily applicable means or in a yield which would constitute a risk to public health.
3.	Solid dose preparations of diphenoxylate containing not more than 2.5 milligrams of diphenoxylate calculated as base and not less than 25 micrograms of atropine sulphate per dosage unit.
4.	Pelvis ipecaculanhae et opii composius

	10 percent opium in powder 10 percent ipecacuamha root, in powder well mixed with 30 percent of any other powdered ingredient containing no drug.
5.	Preparations conforming to any of the formulae listed in this schedule and mixtures of such preparation with any material which contains no drug.

## **STATEMENT**

**B**ased on the recommendations made by the International Health Organization and according to the authority empowered upon us by Article number thirteen from the drug law number 68 for the year 1965, we have made the decision of performing the amendments below in the list supplement to the mentioned law and consider it effective from the date of publishing this statement in an official newspaper:-

**1 : -**Adding the article mentioned below to the first list.

**2 : -**Amend the following in the third list:-

**A : -**Sections (1-A) and (1-B) are omitted and replaced by the following:-

If it was compound with one or more other ingredients containing not more than 100 milligrams of the drug per dosage unit and with a concentration of not more than 2.5 percent in undivided preparations.

**B : -**The words ((in such a way that the preparation has no, or a negligible, risk of a base)) are omitted from section (2) and the paragraph becomes as followed: -

((preparations of cocaine containing not more than 0.1 percent of cocaine calculated as cocaine base and compounded with one or more other ingredients and in such a way that the drug cannot be recovered by readily applicable means or in a yield which would constitute a risk to public health)).

**3 : -**In section (3) the words ((solid dose preparations)) are omitted.

**The Health Minister  
Dr. Ahmed Al-Shamai**

## **STATEMENT**

**B**ased on the recommendations made by the International Health Organization and according to the authority empowered upon us by Article number thirteen from the drug law number (68) for the year 1965.

We have decided to add the two articles mentioned below to the lists one and four which are supplement to the mentioned law and consider it effective from the date of publishing this statement in an official newspaper.

**The Health Minister  
Dr. Jamal Ahmed Hamadie**

## **STATEMENT NUMBER (44) FOR THE** **YEAR 1965**

**A**ccording to article thirteen of the drug law number 68 for the year 1965 and according to section five of article fourteen of practicing the pharmacology profession and trading medicine and poisonous materials law number (86) for the year 1956, the following instructions have been issued concerning the drug characteristics and drug supplying, mentioned in the lists supplement to the mentioned drug law: -

**1 : -E**very physician has to register in a special record the drugs he uses or prescribes and he also has to mention the patient's full name and address, his diagnosis, the amount of medicine prescribed and the date of the prescription.

**2 : -E**very physician, dentist or veterinarian must not prescribe any kind of drugs only depending on special prescriptions supplied for them from the Ministry of Health for a price according to the sample that comes with the statement.

**3 : -T**he official prescription comes in two copies containing the patient's whole name, his age, address, diagnosis and the drug amount prescribed written and in numbers and its usage methods with the observance of the sentence {for teeth treatment} if the prescription was issued by a dentist and the sentence {for veterinary use} if the prescription was issued by a veterinarian in addition to the necessity of mentioning the name of the animal owner, his age, his address in the prescription, and the signature of the individual that issued the prescription must be obvious.

**T**he correction or modification of the prescribed amount is permitted only by the physician who has issued the prescription and he has to sign the prescription again, and the physician has to keep hold of the second copy of the prescription for a period of

time not less than 3 years at the least from the date of using the last prescription.

**4 : -**The physician is not allowed to keep more than eighteen ampoules of drugs in his clinic for emergency use and these drugs are the drugs contained by the rules of this law.

**5 : -**The physician is not allowed in any case to issue a prescription that includes more than six ampoules of any kind of drugs in one single prescription and he is not allowed to prescribe other drugs according to regular doses and amounts that do not exceed the patient's need for more than four days in the same prescription.

**6 : -**Governmental health institutions according to this statement have to supply the patients with drugs and they have to record the required information of sections (1), (2) and (3) on the treatment form and the individual responsible for these drugs keeps hold of the records mentioned in section (4) of this statement.

**7 : -**Private hospitals which don't include a pharmacy have to request the drugs it needs for hospital usage from private pharmacies or reservations on the condition that this request is submitted by the hospital manager, and it is not allowed to keep more than 200 doses of drugs in the hospital and in observance of what was mentioned in section (1) and (2) of this statement. The necessity of registering these drugs in special records and the hospital manager is responsible for organizing and keeping these records.

**8 : -**If the patient's condition called for the continuous need of providing him with the drug due to his suffering from a chronic and dangerous disease, then it is allowed to supply the patient with the amount of drugs he needs after the third prescription, on the condition of producing a medical report signed by three physicians,



one of them is a specialist on the disease the patient suffers from and this report has to be approved by the ministry of Health with consideration of what was mentioned in section (5) of this statement.

**9 : -**It is not permitted for the pharmacist to supply any kind of drug only by a prescription which completes the conditions as mentioned in sections (2), (3) and (5) of this statement and it is permitted to rearrange a prescription of this kind only by a new prescription which completes the conditions and it is not allowed to supply a prescription that contains more than one drug if a period of one week has passed its issuing date.

**10 : -**The pharmacist has to make sure that the prescription has been issued by a person who has the right to issue prescriptions according to the section (1) and (3) of article fourteen from the law of practicing the pharmacology profession and of trading medicine and poisonous materials number 86 for the year 1956.

**11 : -**The prescription that includes drugs in it is not returned to the patient and the pharmacist has to mark the date he supplied it on the prescription and register the prescriptions registration number in the daily prescription records and keep hold pf these records for a period of three years at the least, and within this mentioned period he may be exposed for investigation.

**12 : -**Supplying medicine and medical products including the drugs mentioned in this statement are excluded upon pharmacies with permits only.

**13 : -**The manager of any pharmacy permitted according to the law of practicing the pharmacology profession and trading medicine and poisonous materials number 86 for the year 1956 and the drug law number 68 for the year 1965 when he has to handover the drugs that are in his possession all at once to

whoever takes his place, issue a statement on this matter in four copies signed by both of them and the first copy is sent to the Ministry of Health and the second to the Union and the third is kept in the pharmacy and the fourth copy is kept with the pharmacy manager who is absent or has left the pharmacy, and if a new pharmacy manager is not appointed then the local authority representative has to seal the cabinets that contain the materials by his seal and the seal of the manager who has left his work, with consideration for the rules of section (D) of article eleven from the law of practicing the pharmacology profession mentioned above.

**14 : -E**very pharmacist or chemist responsible for managing the pharmacy, medicine reservation or medicine factory has to: -

**A : -R**egister in the special official drug records and the pages of these records have to be numbered and stamped by the Ministry of Health stamp or the stamp of the health authority in the districts headquarters all the imported or locally purchased drugs and these records are kept and are exposed for investigation at any time and the registration has to take place within 24 hours from the time of delivery or supplying these materials.

**B : -H**e has to present before the 31st of January of every year a yearly report for the last calendar year and this report includes the amount of drugs bought or imported or supplied within the year and the amount that remains at the end of the mentioned period and present this in the special official report that is supplied to him by the ministry of health without charge.

**C : -T**he drugs have to be kept in closed cabinets and the keys of these cabinets are kept with the manager and it is not permitted to open the cabinets only by the manager or within his presence.

**15 : -E**very physician has to present a report at the end of the calendar year to the public health investigator or to the district's health president and this report includes the amount of drugs bought and supplied in the clinics and the public health investigator or the district health president has to perform the

necessary inspections and present the survey which includes the monthly reports that are presented to the ministry.

The Ministry of Health statement number 10/ M for the year 1956 which has been issued for this reason.

**The Health Minister  
Dr. Shamel Al-Samaraie**

## SCHEDULES

### **Schedule I**

1.	ACETYLMETHADOL (Methadyl Acetate)
2.	ALLYPRODINE (Alperidine)
3.	ALPHACETYLMETHADOL
4.	ALPHAMEPRODINE
5.	ALPHAMETHADOL
6.	ALPHAPRODINE (Nisentil, Irisilidone)
7.	ANILERIDIN (Leritine)
8.	BENZETHIDINE
9.	BENZYMORPHINE (3- Benzyemorphine). Peronine
10.	BETACETYLMETHADOL
11.	BETMEPRODINE
12.	BETAMETHADOL
13.	BETAPRODINE
14.	CANNABIS and CANNABIS RESIN and EXTRACTS and TINGTURES of CANNABIS

15.	CLONITAZENE
16.	COCA LEAF
17.	COCAINE
18.	Concentrate of poppy straw
19.	DESOMORPHINE (Permonidde, Scopermid)
20.	DEXTROMORAMIDE (Palfium, Jetricum Pyrrolamidol, R. 875, Alcioid)
21.	DIAMPROMID
22.	DIETHYLTHIAMBUTENT, Diethibutin, Diethy Liambutene, Themalon)
23.	DIHYDROMORPHINE (Paramorfan)
24.	DIMENOXADOL (Lokarin)
25.	DIMEPHEPTANOL (Amedol, Methadol, Pangerin)
26.	DIMETHYLTHIAMBUTENE (Aminobutene, Diemethibutin, Ohton)
27.	DIOXAPHETYL RUTYRATE (Amidalgon, Spasmoxale)
28.	DIPHENOXYLATR (R. 1132)
29.	DIPIPANONE (Pipadone, Fenpidon, Pamedone, Welleonal, Etc..)
30.	Ecgonine, its esters and derivatives which are convertible to egonine and cocaine

31.	ETONITAZENE ETHYLMETHYL THIAMBUTENE
32.	EXTOXERIDINE (Atenorax, Atenos, Carbetidine)
33.	FURETHIDINE
34.	HEROIN (Diacetylmorphine), Diamorphine, Acetomorphine, Eclorian, Etc...
35.	HYDROCODINE (Dihydrocodeinone), Dicodide, Diconone, Hydrocodin, Assicodid, Codimal, Codinon)
36.	HYDROMORPHINOL
37.	HYDROMORPHONE (Dihydromorphinone), Dialaudide, Dimorphinon, Cormorphin, Assilandid)
38.	HYDROXYPETHIDINE (Bemidone, Hydropethidine, Oxy-dolantin, Oxypetidin)
39.	ISOMETHADONE (Isoadanon, Isoamidone)
40.	KETOBENIDONE (Cliradon, Kitogan, Ketogin)
41.	LEVOMETHORPHAN
42.	LEVOMORAMIDE
43.	LEVOPHENACYLMORPHAN
44.	LEVORPHANOL (Dromoran Levodromoran, Aromarone, Levorphan)
45.	METAZOCINE (Methobenzorphan)

46.	METHADONE (Adanon, Dolamid, Fendone, Heptadol, Heptanal, Heptanon, Butalgin, ketalgin, physeptone, Polamidon, Symoran)
47.	METHYLDESORPHINE (Methyldesomorphine)
48.	METHYLDIHDROMORPHINE
49.	1 - methyl - 4- Phenylpiperidine - 4- carboxylic acid
50.	METOPON
51.	MORPHERIDINE (Morpholinolthylnorpethidine)
52.	MORPHINE
53.	Morphine Methobromide and other pentavalent nitrogen morphine derivatives
54.	MORPHINE - N- Oxide (Genomorphine, Morphinaminoxyde)
55.	MYROPHINE
56.	NICOMORPHINE (Nicophine, Nocophine, Vilan)
57.	NORLEVORPHANOL
58.	NORMETHADONE (Ticarda, Veryl, Normedon, Tinafon, Deatussan, Etc..)
59.	NORMORPHINE
60.	OPIUM
61.	OXYCODONE (Eucodal, Pancodine, Pavinal, Codeinon, Proladone, Bionine, Etc..)

62.	OXYMORPHONE (Numorphan)
63.	PETHIDINE (Demerol, Dolantin, Dolisina, Dolsin, Alodan, Etc..)
64.	PHENADOXONE (Hepagin, Heptalgin, Hepaline, Heptone, Etc..)
65.	PHENAMPROMIDE
66.	PHENAZOCINE (Narphen, Phenobenzorphan, Prinadol)
67.	PHENOMORPHAN
68.	PHENOPERIDINE (Phenopropidine, R. 1406)
69.	PIMINODINE (Anopridine, Cimadon)
70.	PROHEPTAZINE
71.	PROPERIDINE (Gevelina, Isopethidine, Isopedine, Spasmodolisina)
72.	RACEMORMIDE
73.	RACEMORPHAN (Citarin, Methorphanin)
74.	THEBACON (Cofadicon, Novocoden)
75.	THEBAINE
76.	TRIMEPERIDINE (Isopromedol, Promedol)



The isomers, unless specifically excepted, of the drugs in this schedule whenever the existence of such isomers is possible within the specific chemical designation.

The esters and ethers, unless appearing in another schedule, of the drugs in this schedule whenever the existence of such esters or others is possible.

The salts of the drugs listed in this schedule, including the salts of esters, ethers and isomers as provided above whenever the existence of such salts is possible.

## SCHEDULES

### Schedule II

1.	ACETHYLDIHYDROCODEINE
2.	CODEINE (Methymorphine)
3.	DIHYDROCODEINE
4.	ETHYLMORPHINE (Dionine)
5.	NORCODEINE
6.	NICOCODINE
7.	PHOLCODINE

And the isomers, unless specifically excepted, of the drugs in this schedule whenever the existence of such isomers is possible within the specific chemical designation.

The salts of the drugs listed in this schedule, including the salts of the isomers as provided above whenever the existence of such salts is possible.

## SCHEDULES

### Schedule IV

1.	Cannabis and cannabis resin
2.	DESOMORPHINE (dihydrodeoxymorphine)
3.	HEROIN (diacetylmorphine)
4.	KETOBEMIDONE (4 - - meta- - hydroxyphenyl - - 1 - - methyl - - 4 - - propionylpiperidine)

And the salts of the drugs listed in this schedule whenever the formation of such salts is possible.

Number \_\_\_\_\_

Sex \_\_\_\_\_

**The Ministry of Health**

**A special drug prescription**

The physician's name \_\_\_\_\_ His address \_\_\_\_\_

The patient's name \_\_\_\_\_ His age \_\_\_\_\_

The patient's address \_\_\_\_\_

The diagnosis \_\_\_\_\_

Signature \_\_\_\_\_

date:        /        /

**Notice:**

The first red copy is signed by the minister and is supplied by the pharmacies.  
The second white copy is left in the physician's possession.

**Law Number (131) for the year**  
**1967**  
**The Recognition of the Iraqi**  
**Red Cross Committee**

**In the name of the people**  
**The president ship**

**A**ccording to the rules of article 44 from the temporary constitution and based on the presentation made by the health Minister and the approval of the Council of Ministers.  
The following law has been approved: -

**Article 1:-**

1. The Iraqi government recognizes the Iraqi Red Cross Committee, its legal personality and its ability to acquire the rights stipulated in the Iraqi civil law and other laws.
2. The Iraqi Red Cross Committee is the only committee in Iraq qualified to adopt the Geneva agreements.

**Article 2:-**

It is not permitted for other than the Iraqi Red Cross Committee and the Iraqi armed forces {the army and the police} health managements to use the Red Cross title and the Red Cross symbol on a white label.

### **Article 3:-**

The committee has to issue internal systems to manage its work.

### **Article 4:-**

Law number 40 for the year 1934 is annulled.

### **Article 5:-**

This law is executed from the date it is published in an official newspaper.

### **Article 6:-**

The Ministers have to implement this law.

Written in Baghdad on the sixteenth of Jumadee Al-Akhera for the year 1387, which concurs with the twentyth of September 1967.

## **THE POSITIVE REASONS**

The reasons the Iraqi government enacted law number 40 for the year 1934 was to recognize the Iraqi Red Cross committee with a special law to implement International agreements similar to the Geneva agreements that the government participated in by law number 24 for the year 1955 similar to the other countries. Only this law did not include recognizing the legal personality for the committee or the rights that other similar committees have acquired in the country and this is due to the non existence of a civil enactment that organizes this personality and defines its rights included by the civil law, and this effective law has excluded the right of using the Red Cross name and Red Cross slogan only by the committee and the Iraqi armed forces health management and its necessity to expand this right to include the police health management by considering it a division of the armed forces. And based on this, this law was enacted.

**In the name of the people  
The Revolutionary Command Council**

**Law number: 1026**  
**The law date: 13<sup>th</sup> of September**  
**1984**

**A**ccording to the rules of section (A) from article 42 of the temporary constitution, the Revolutionary Command Council in its convening assembly that took place on the 13<sup>th</sup> of September 1984, approved the following law: -

**Law number 8 for the year 1984**  
**The Physician Union Law**

**Chapter One**  
**The Establishment and**  
**Objectives**

**Article 1:-**

**First:-**According to the rules of this law, a Union is established and it is named the Physicians Union with a legal personality and the union's headquarters is in Baghdad.

**Second:-**The Union includes the following organizations:-

- A) The public convention.
- B) The Union Council.
- C) The division board, division council and the union committee in the province.
- D) The discipline committee of the province.



## **Article 2:-**

The Union works on achieving the following objectives using various methods:

**First:-**Enhancing the medicine practice and raising the professional and academic standards of the members.

**Second:-**Organizing the relationships between the members and organizing the fraternal and cooperative spirits among them.

**Third:-**Organizing work opportunities for the members.

**Fourth:-**Granting social and economic services for the members and insuring that they benefit from the help given to them by the physicians trust box in cases of sickness, disability and death.

**Fifth:-**Organizing the relationships between the members and government organizations and other institutions to protect the members' rights and helping them to perform their obligations and cooperating with the other Unions and professional committees in the country which share the same interests and objectives as the union to participate in the growth, promotion and progress of the society.

**Sixth:-**Strengthen the ties between the physicians Union in the Arab Countries and participating in the Arab physicians Union.

**Seventh:-**Cooperating and exchanging information and expertise with Arab and national organizations, institutions and committees that hope to achieve the same objectives that the Union does and participate in their conventions and scientific, cultural and social activities.

## **Chapter Two**

### **The Union Membership**

#### **Article 3:-**

The physician is not permitted to practice his profession in Iraq before he submits his membership to the Union and obtains a registration certificate and a working license.

#### **Article 4:-**

The member has to be Iraqi by nationality, obtained his bachelor degree in medicine from an Iraqi University or whatever equivalents it.

The Union tends to accept the membership of Arab and foreign physicians who have not been deprived from the right of practicing in their own country because of misconduct of their practice and the countries that treat the Iraqi physicians with the same methods.

#### **Article 5:-**

##### **First:-**

The membership application is submitted to the Union Council with the required documents, and the Council has to look into the applications and reach a resolution considering the issue within a 15 day period from the day of the submission and if the application was refused the refusal has to be with cause.

##### **Second:-**

The specialized Minister and application submitter are informed of the Union's decision concerning the application and they can object on the decision at the cassation court within thirty days from the date he was informed and the cassation court has to resolve the case within 30 days from the date the case was registered at the court, the court's decision is considered final.

**Third: -**

If the Council did not reach a resolution for the submitted application during the limited period as explained in Item one of this article, the application is considered approved and the membership accepted.

**Fourth: -**

If the application is approved, then the membership is accepted and the member has to register in the Union and has to be provided with a registration certificate and a working license.

**Article 6:-**

**First: -**The license for profession practicing is renewed in the first month of every year {January} and if the member fails to renew his license without a legitimate excuse that convinces the Council, he will be banned from practicing his profession and he will not be given a license only after paying his renewal fee doubled.

**Second: -**If the member fails to renew his license for two years on a row without a legitimate excuse, then his name will be erased from the records and if he wanted to reregister, then he has to pay the membership fee and the fee for the renewal of his license doubled.

**Article 7:-**

If the member fails to meet one or more of the conditions that make him a Union member, he will lose his membership and he will be banned from practicing his profession based on a decision made by the Council and the member can contest this decision at the supreme court within a 30 day period from the day he was informed of the decision and the courts decision is considered final.

## **Article 8:-**

**First:-**The licensed member is not allowed to open other than one clinic in the country.

**Second:-**The member does not have the right to claim the specialization title in any field of medicine only if he obtains this title according to the rules and principals and then register it and this is done by a decision made by the Council.

**Third:-**The Iraqi member who is associated with the government and with the socialist and mixed sectors can practice the profession after the official working hours.

**Fourth:-**The agreement and contract regulations are applied regarding the Arab and foreign members when they are allowed to practice the medical profession in Iraq.

**Fifth:-**The Union can forbid the member from practicing the profession according to the rules of this law.

## **Article 9:-**

The member cannot combine between the position of chief head, the position of division head, the presidency of the union committee or the presidency of the discipline committee and the following positions:

1. The presidency of the national assembly, the presidency of the legislative assembly and the presidency of the executive assembly for the self-government region.
2. The Minister or Secretary General in one of the managements of the self-government region.
3. Manager of a trading company.
4. General Manager of the health office in the province.

## **Chapter Three**

### **Specializations and the Work Progress**

#### **Article 10:-**

##### **First:-** Public convention:-

It is considered the highest authority in the Union and it includes the Union Council, the Division Councils, the members and the Union committees.

##### **Second:-**

- A) The public convention assembles in the Union's headquarters on the last Friday of the third month {March} of every year, by a written invitation issued by the chief head to discuss the work charts, and this invitation has to be sent to the convention members before the assembly date by 15 days at the least, the invitation also has to include the assembly's date and place, the work charts, the budget report and the auditing report, the invitation also has to be publicized by one or more of the media sources.
- B) The quorum is considered complete when the majorities of the public convention members are present and if the majority of members were not present then the Council assembles within 14 days of the first assembly and this time the quorum is considered complete whatever the number of members present.
- C) If the chief head did not issue an invitation to the public convention on the specified date mentioned in section 2A of this article, then the public convention assembles spontaneously in the Union's headquarters on the last Friday of the fourth month {April} of the same year, and the quorum is considered complete in this case only if a quarter of the convention members are present, if the quorum was not

complete, then the assembly takes place on the last Friday of every month that follows till the quorum is complete.

**Third:-**The chief head leads the public convention assembly and when he is absent, his first vice will take his place and when they are both absent the second vice, and when they are all absent the oldest member by age will lead the assembly.

**Fourth:-**According to the decision made by the Union Council or based on a request made by a quarter of the public convention members, the chief head calls for an exceptional assembly, and defines the date and place of the assembly and the reasons that the assembly is called for in the invitation card, on the condition that the assembly has to take place within 30 days from the date of the request made by the members of the public convention or the date of the decision made by the Union Council and it is not permitted to discuss other than the issues that the public convention was called for.

## **Article 11:-**

The public convention is responsible for all the Union's obligations and especially the following: -

1. The election of the chief head and the members of the Union Council under the authority and supervision of the first instance court judge in the Union headquarters area or whoever takes his place from the court judges.
2. The approval of the yearly budget.
3. Discussing the yearly report, the Union's affairs and accounts.
4. Looking into the suggestion of amending the Union laws and regulations.
5. Setting the physicians fees.
6. Withdrawing the trust from the chief head or from the members of the Union Council.

## **Article 12:-**

1. The Union is run by the Union Council and it includes:-
  - A)** The chief head as president of the Union Council.
  - B)** Ten members that include among them, two chief head vices, a secretary and the finance supervisor.
2. The Union Council has four substitute members who have gained a number of votes made by the members by succession, from the most number of votes to the least.

## **Article 13:-**

The election of the chief head and the members of the Union Council and the management of the Union is the responsibility of the public convention according to the regulations mentioned in this law and in the internal systems.

## **Article 14:-**

1. The chief head's nationality has to be Iraqi by birth born of parents who have the Iraqi nationality by birth also and he has to have a work experience in his practice not less than 15 years.
2. The member of the Union Council has to be Iraqi by nationality and has a working experience not less than seven years.
3. The Union Council elects from amongst its members in the first assembly it holds after its election, two chief head vices, a secretary and a finance supervisor.
4. The term of the Council is two years.

## **Article 15:-**

1. The Union Council specializes in the following: -
  - A)** Accepting the member's membership and banning them from practicing their profession.

- B)** Outline the Unions public plan and managing its affairs.
  - C)** Invite the public convention to assemble and execute its decisions.
  - D)** Supervise the work of the divisions and Union committees and insuring the harmony of the activities.
  - E)** The decision of creating new divisions for the Union.
  - F)** Setting the yearly budget for the Union.
  - G)** Suggesting the legislations and projects of the internal systems.
  - H)** Supervising over organizing the profession practice in private clinics.
  - I)** Suggesting the adoption of the fees the Union has to pay according to this law.
  - J)** Defining the Union's working staff.
  - K)** Looking into the affairs of the practice.
  - L)** Managing the Union finance.
2. The Union Council can concede some of its affairs to the chief head his vices, the division council or the Union committee in the province.

## **Article 16:-**



**First:-**In addition to the specialties that the Union Council concedes upon the chief head, the chief head also performs the following: -

- A)** Represents the Union.
- B)** Reforms the Union Council's decisions.
- C)** Call for a Union Council assembly based on a decision made by the Union Council.
- D)** The presidency of the Union Council.
- E)** The presidency of the public convention.
- F)** Signing the deposit or expenditure documents of the Union's money.
- G)** Setting the yearly budget, the final account report and the yearly report for the Union's activities and presenting these reports to the Union Council on the specified date.
- H)** Appointing the Union workers from amongst the staff workers approved by the Union Council, and implementing the issues that concern the workers services and discipline.

**Second:-**The chief head can concede some of his specialties to one of his vices, one of the members in the Union Council or one of the members in the division council.

### **Article 17:-**

The Union division:-

A Union division is introduced in every province and the number of the division members is not less than 150 and they form the division board which is considered the highest authority in the province's Union division.

The following are the division's obligations and the board's specializations: -

1. The division board assembles in its headquarters one regular assembly in the year on the first Friday of the second month {February} of every year and if the majority of the members were not present for the assembly then it is adjourned to the third Friday of the same month whatever the number of members present.
2. The division board assembles an exceptional assembly whenever the Union Council decides or based on a written invitation made by a quarter of the division members and the reason of this assembly has to be defined and it has to take place within 30 days from the date the Union Council makes the decision or from the date the division council receives the members request.
3. The head of the division calls for the assembly seven days before the date at the least and the assembly date has to suit the work schedule and the other requirements.
4. If the division head did not call for an assembly in the period specified by this article, then the board assembles on the division council's headquarters on the second Friday of the month {February} and the quorum is complete in this assembly only if a third of the division member is present.
5. The head of the division board leads the board's assembly and in case of his absence, the oldest member leads the assembly.
6. The division board is responsible for managing its affairs and is also responsible for the following:
  - A)** Electing a president and members for the division council and supplementary members and the members of the discipline committee.
  - B)** Withdrawing the trust from the president and members of the division council.

**C)** Discussing the yearly report and approving the final accounts and deciding on the division's budget for the following year.

**D)** Looking into the issues of the practice and the suggestions that concern them and present the recommendations about them to the Union Council.

7. The term of the division council is two years.

8. If the members of the division exceeded 150 members, then the division board elects a member from every extra 30 members and he is called the supplementary member so that he can represent the division in the public convention's assembly.

### **Article 18:-**

1. The division council includes the president, four members, 2 substitute members who are elected by the division board.

2.

**A)** Electing the president of the division council and the division's members and organizing the management of the division's affairs and this is accomplished by the division board, according to the regulations that are defined by this law and by the Union's internal system.

**B)** The president of the division council has to be of Iraqi nationality and has experience from practicing his profession for a period of 7 years at the least.

**C)** The member of the division council has to be of Iraqi nationality and has experience from practicing his profession for a period of 5 years at the least.

3. The division council elects from amongst its members a secretary and a finance supervisor within seven days of the council's election.

4. The division council is responsible for managing the divisions affairs and it is also responsible for the following: -

- A)** Carrying out the work plans that have been established by the Union's public convention and is also responsible for carrying out the instructions and resolutions of the Union Council and division board.
- B)** Help raise the standards of the practice and suggest the plan that helps achieve the Union's objectives.
- C)** Set the division's yearly budget and manage its financial affairs.
- D)** The specialties that the chief head or Union Council has concedes upon the division council.

### **Article 19:-**

- 1. If the number of Iraqi members in the province was less than 150 members, a committee is elected for them and it is named the Union committee and it includes a president, 2 members and 2 substitute members.
- 2. The Union committee is responsible for the Union's affairs in the province according to the rules of the law and it is connected to the Union Council.

### **Article 20:-**

- 1. The Union's finance includes the following:
  - A)** The membership fee.
  - B)** The registration fee.
  - C)** The fees for registering the specialization.
  - D)** The license fees for opening medical institutions and renewing private practice licenses for health institutions.
  - E)** The fees for approving the medical report.
  - F)** The income of the Union's properties.

- G)** The income of parties and public contributions.
  - H)** The profit of scientific projects that the Union does or participates in.
  - I)** The profit from Union's publications.
  - J)** The penalties that are applied upon the members by the discipline committees in the province.
  - K)** Grants and donations or any other source of income.
2. If exceptional circumstances came between the approval of the budget in its specified date the Union's work will continue depending on last year's budget till the new budget is approved.

## **Article 21:-**

1. The fees that the Union collects are as followed: -
- A)** 5 dinars, the membership fee for the Iraqi citizens or the citizens of Arab countries and 75 dinars for other individuals.
  - B)** 8 dinars for the yearly permit fee or the renewal of it for Iraqis and the citizens of Arab countries and 30 dinars for other individuals.
  - C)** 1000 dinars, the license fees for opening a private hospital and 500 dinars the fees for the license's yearly renewal.
  - D)** 25 dinars, the fees of the yearly private clinics permits for doctors with specialties in any field of medicine {have the specialization title} and 25 dinars, the renewal fee of this permit, 12 dinars the permit fee for employed or recruited practicing physicians {who do not have the specialization title} and 12 dinars its renewal fee.
  - E)** 12 dinars each year, the permit fee for employed physicians who work in consultative clinics and 12 dinars for its renewal fee.

**F)** 5 dinars, the license fee for the physicians who work in public clinics.

**G)** 30 dinars, fees for the specialization title registration.

**H)** One dinar, fees for the approval of the medical reports issued by private clinics and private hospitals.

2. The money and financial documents are deposited in Al-Rafidayen Bank in the name of the Union.

## **Article 22:-**

The following acts are considered forbidden according to this law:-

1. The violation of laws, regulations, instructions, orders and professional standard behaviors especially attracting patients by using publicity methods or by depending on agents.
2. Violations to the practice reputation and the reputation of its pursuers and degrading their academic and moral standards.
3. Claiming falsely that the member has a specialization title which is untrue.
4. Employing un-permitted individuals with academic professions.

## **Article 23:-**

Any member who violates the practice obligations or performs one of the forbidden acts or performs anything that degrades the practice profession or refuses to implement the Union's decisions according to the rules of this law, will expose himself to the punishments that are mentioned in this law or the measures that are taken against him according to other laws.

## **Article 24:-**

1. The Union members of every province in the beginning of every period elect a discipline committee that includes three members and two substitute members.
2. The discipline committee elects a president from his members in the first assembly that takes place after its election.

## **Article 25:-**

The punishments that the discipline committee inflicts upon its members are: -

1. Fore warning:  
And it consists of sending a notification letter to the violator, warning him of his behavior.
2. Warning:  
Consists of a notification letter that includes resentment of the violators behavior for a certain act he has committed and demanding him not to repeat the same act and if he recommits the act, his punishment will be severe.
3. Penalty:  
Which means paying an amount of money that does not exceed 1000 dinars and if he fails to pay, he will be banned from the private practice for a period not more than a year and if he committed the violation again within a 3 year period of committing the last violation then the penalty will be paying an amount of money that does not exceed 2 thousand dinars, and if he fails to pay, he will be banned from the private practice for a period not more than a year.
4. Forbidden from private practice of the profession for a period that does not exceed 2 years.
5. Paying the penalty and being banned from the practice together {as mentioned in sections 2 & 4 of this article}.

## **Article 26:-**

If the discipline committee found that the act committed by the member is considered a crime, the committee can submit the case to the specified court with the necessary case documents and an

innocence conviction made by the court does not forbid taking the necessary actions by the discipline committee against the members according to the rules of this law.

### **Article 27:-**

1. The member is not permitted to practice the medical profession during the period of his imprisonment or the period of his arrest.
2. The member is not permitted to practice his profession during his imprisonment period which is equivalent to the penalty when he is convicted of an immoral crime that is related to his practice.
3. If the member was convicted for a number of times due to his misconduct to the practice, his name will be removed from the Union's records and he is not permitted to practice his profession before getting a new approval from the Union Council to register according to the laws, regulations and instructions that are issued for this case.

### **Article 28:-**

1. The decision of being banned from the practice is declared to the concerned parties that the discipline committee defines, and this is announced in the Union's offices, branches and committees in the provinces.
2. It is not permitted for a member to work in the banned member's clinic.
3. The penalties that the discipline committee imposes according to the rules of this law are considered an income for the Union.

### **Article 29:-**

1. If a complaint was presented to the Union Council, the Union can submit the complaint to the concerned division or the Union committee in the province, both the division or the Union committee can close the case if it was not proven to



either of them the trueness of the complaint and if it was proven then the complaint will be submitted to the discipline committee.

2. The committee chief sets the date for holding the assembly and the member is informed of this and the committee secretary does the necessary.
3. The discipline committee assemblies are confidential.
4. The resolutions of the discipline government employee's law and the law of criminal court rules are applied in the matters that a law has not been issued for.

### **Article 30:-**

The Minister, chief head and concerned case members can appeal the discipline committee's decisions at the public discipline council within 15 days from the date of executing the law, or from the date the convicted individual is informed in absentia or the date of informing the Minister or the chief head.

### **Article 31:-**

The chief head or one of his vices who represent him is judged when committing a discipline violation in front of the public discipline council according to the rules of this law and they are submitted upon the discipline council by the Union Council.

## **Chapter Six** **Public Rules and Final Rules**

### **Article 32:-**

**First:-**It is not permitted to confiscate or sell the Union's properties only if the debt resulted from their value.

**Second:-**It is not permitted to investigate the Union's headquarters or the headquarters of its divisions, the Union's committees or discipline committees only in the presence of the chief head or his vices, the division head, the Union committee head or whoever represents them.

**Third:-**

- A)** Any violation to the member while performing his duties or due to practicing his profession exposes the violator to the punishment which is applied to whoever violates an employee while performing his duties and the member has to inform the Union, the division and the Union committee about the incident.
- B)** The investigation authority has to inform the Union its divisions or the Union committees before investigating with the member about the crimes which are unwitnessed by the Union, and the Union has to appoint someone to represent it during the investigation.

### **Article 33:-**

Whoever practices the medical profession or tried to practice it or claimed a title or anything that misleads the public to believe that he has a practice license in medicine without being registered or issued with a license according to the rules of this law and other laws, and he can't meet the conditions that the registration and license acquire, will be punished with imprisonment for a period that does not exceed 3 years or pay a penalty amount that does not exceed 5 thousand dinars.

### **Article 34:-**

The supreme committees in the Union or the Union committees in the provinces perform their duties till the elected term finishes.

### **Article 35:-**

The Union has to establish its internal system and the establishment decision is made by the majority of two thirds of the members either the members of the public board according to the rules of the law (114) for the year 1966 {which is annulled} or the members of the public convention according to the rules of this law, on the condition that the internal system eases the performance of this law especially: -

1. Details on the methods used to establish the Union and the work process rules and the relationship between these rules and other rules.
2. Details on the methods used in performing the Union elections and the division elections, the elected term principals and its period, the membership termination and the member invitations.
3. The rules of dissolution and liquidation.
4. Stating other issues including financial, accounting and discipline issues.

### **Article 36:-**

The Union Council has to issue instructions and statements to ease the execution of this law.

### **Article 37:-**

1. The physician Union's law number 144/1966 is annulled.
2. The physician Union established according to this law takes the place of the physician Union established according to the annulled law, it all its rights and obligations.
3. The instructions and statements issued according to the annulled law stay valid till they are canceled or a new law is approved.

### **Article 38:-**

This law is executed from the date it is published in an official newspaper.

Saddam Hussein  
The President of the Revolutionary Command  
Council

### **THE POSITIVE REASONS**

In view of the changes that have developed upon the physician Union's law number 114/ 1966 for example the separation of both the dentistry Union and the veterinarian Union from the physicians Union, and in view of the increasing number of physicians which call for changing the election systems and the methods used in forming the divisions.

This law has been approved for the purpose of organizing the basics of profession practicing in the private medical sector.

# **Law Number 38 for the Year 1970**

## **The Dentists' Union (1)**

**In the name of people**  
**The president ship**

**A**ccording to the amended rules of section (C) from article 50 of the temporary constitution and based on the presentation made by the Minister of Health and approved by the Revolutionary Command Council.

The following law has been approved: -

### **Article 1: -**

According to this law, the following terms mean:

1. The Union: The Dentists Union.
2. The Minister: The Minister of Health.
3. The Chief Head: The Dentists Chief Head.
4. The Member: Any individual who is a member of the Union according to this law.
5. The practice: Practicing the dentistry profession.
6. The Council: The Union Council.

### **Article 2: -**

1. A Union is established according to this law and the Union's headquarters is in Baghdad. The Union has a legal personality with the right to own estates and properties and manage them to achieve the Union purposes.  
The Union is represented by the Chief Head or whoever represents him according to this law.

2. The Union's Purposes:-

**A)** Working on raising the academic, vocational and social standards for the members and the dentistry's health standards by using means of publishing, broadcasting , attending social and cultural activities and participating in Arabic and International conventions especially the conventions that share the Union's objectives.

**B)** Organizing the relationships between the members of the Union and the relationships between the members and government officials or other institutions. Protecting the member's rights against any abusive procedures or whatever violates these rights.

### **Article 3: -**

The Union includes the following: -

1. The public board:-It is the highest authority in the Union and it includes all the members.

2. The Union Council:-This council is mentioned in Article 16 of this law.

3. The Discipline Committees:-

There are three discipline committees: -

**A)** Discipline Committee for the Baghdad district: This committee performs its authorities in Baghdad, Diyala, Hilla, Kut, Diwaniya, Ramadee and Karbala provinces.

**B)** Discipline Committee for the Basrah district: This committee performs its authorities in Basrah, Emara, Nasriya and Samawa provinces.

**C)** Discipline Committee for the Mosul district: This committee performs its authorities in Mosul, Dohuk, Erbil, Kirkuk and Sulaymania provinces.

## **Article 4: -**

1. The public board assembles in the union's headquarters on the morning of the first Friday of April of every year by an invitation made by the chief head to every member before the assembly date by at least 15 days and the invitation has to include the assembly date, place and it has to be published in two newspapers at the least. The quorum is considered complete whatever the number of members present.
2. If the chief head did not issue an invitation to the public board on the specific date and place then the board has the right to assemble spontaneously on the last Friday of the fourth month of the year {April} in the same location that was mentioned previously and the quorum is considered complete if none less than 25% of the Union members are present.
3. The decisions of the public board are issued by the approval of the majority of members present.
4. The member is not permitted to participate in the assembly if he was banned from his practice according to the rules of this law or if he had not renewed his yearly practice license before the assembly date.

## **Article 5: -**

It is permitted to call the public board to hold an exceptional assembly by a request from the chief and a decision made by the Union Council on the condition that the reasons of the assembly must be stated in the invitation card.

## **Article 6: -**

- A)** A quarter of the Union members are allowed to issue a written request to the Union to call the public board for an exceptional assembly and the reasons for this assembly have to be mentioned in the request.

The Union Council has to issue the invitation within 15 days from the date of the request and the assembly has to take place within a month of issuing the invitation.

- B)** It is not permitted in the exceptional assembly to discuss affairs other than the affairs the assembly has been called for.

### **Article 7: -**

The following are the obligations of the public board: -

1. The election of the chief board and the committee members is done under the supervision of the first instance court judge in Union headquarters area, or whoever represents him from the first instance judges in the area.
2. Approving the budget.
3. Discussing the yearly report and the Union's affairs and accounts.
4. Looking into adapting the Union laws and regulations when they are needed.
- 5.** The decision of liquidizing the Union's properties and its finance when the Union is dissolved.

### **Article 8: -**

1. The member outside the city of Baghdad is allowed to take part in the election by voting by mail.
2. Every member in Baghdad {within the government boundaries} can vote in the elections or he can vote by mail after providing the supervising committee with a legitimate excuse and a request has to be issued for this matter before the public board assembles by three days at the least.
3. It is not permitted to disperse the voting papers that have come by mail only in the election convention and by the committee supervising the election.

### **Article 9: -**



The chief head, union Council, Discipline Committee and Union representatives are elected in the provinces by the majority of votes through secret voting for two whole years and they can be re-elected.

### **Article 10: -**

The chief head has to be Iraqi by birth and from an Iraqi father and has practiced the profession for a period of six years at the least.

### **Article 11: -**

The member of the Union Council and Discipline Committee has to be an Iraqi and has been practicing for a period of three years at the least.

### **Article 12: -**

The member is not permitted to have a membership in more than one committee elected by the public board.

### **Article 13: -**

It is not allowed to elect a chief head, member of Union Council, members of Discipline Committees and the Union representatives in the provinces from individuals who were convicted and banned from the practice for a period exceeding a month if a three year period had not passed the incident.

### **Article 14: -**

1. If a member of the elected committees was deprived of one or more of the conditions needed for his election or if he was absent from the committee's assemblies or the Union council's {if he was a member in it} assemblies five times on the row or for ten times not on the row without a legitimate excuse, the Union Council can consider him resigned.
2. The substitute representative takes the original representatives place in the two following situations: -

**A)** If he was unable to meet one or more of the Union membership conditions.

**B)** If it was proven that he was uncooperative with the Union Council concerning the Union's tasks by a decision made from the discipline committee after it was submitted upon them by the Union Council.

### **Article 15: -**

1. If the position of one of the members of the elected committees or the position of a representative in the province was vacant for any reason, the substitute member takes his place.
2. The rules of article one is applied in the case of the members temporally absence for a legitimate excuse till the return of the absent members.

### **Article 16: -**

The Union Council consists of the following: -

1. The chief Head: As president of the Union Council.
2. The members of the Union Council, and they are six.
3. The chief heads, two vices and they are elected by the Union Council from among the Union's members and one of them takes the chief heads position if he was absent or if his position become vacant.

### **Article 17: -**

The members of the Union in every province elect a Union representative and a substitute Union representative for that province.

### **Article 18: -**

1. Each discipline committee includes five members.

2. The Union members in all the areas mentioned in Section 3 of Article 3, elect three original members for their discipline committee and two substitute members.
3. The elected members elect from among them a committee president.

### **Article 19: -**

All the complaints are submitted to the Union Council and the Council performs an investigation and makes the decision of either transferring the complaints to the specified discipline committee or if it decides to closure the complaint, this must be done within period that does not exceed 20 days.

### **Article 20: -**

The approved regulations in the law of criminal court rules are applied in the cases that the discipline committees looks upon, if it did not contradict with the regulations of this law.

### **Article 21: -**

1. It is permitted to dismiss a member of the discipline committee if one or more of the dismissal reasons exited according to the rules of civil court law, and the Union Council has to look into the dismissal request and inform the member of the decision according to the dismissal regulations and this decision cannot be appealed.
2. Those concerned can make the request of transferring the case from one discipline committee to another according to the reasons mentioned in the laws applied for this matter and the Union Council has to resolve the request within 15 days and the Union's decision is considered final.

### **Article 22: -**

1. The discipline committee during the investigation and trial takes into its consideration the rights of the defendant and insuring justice. The member who is undergoing the trial can appoint a lawyer to represent him.

2. If a witness was not present during the trial, the committee at that point can submit a request to the chief investigator to issue a warrant for his presence and he can request legal punishment against the witness who lies in his testimony.

### **Article 23: -**

The discipline committee's assemblies are confidential and it is permitted to publish the regulations that the committee issues in these assemblies in the Union's magazine after gaining the approval if the Union Council for the best public interest, and the papers and regulations are informed according to legal methods that are adopted in informing lawsuit papers.

### **Article 24: -**

The discipline committee has to record a special report for each case and a special report for the discipline rules issued by the committee and the supreme court issues a conviction punishing the member has to inform the Union of this conviction and provide him with a copy of the conviction.

### **Article 25: -**

The discipline committee has to look into the case in the presence of the two involved parties or in the absence of one or both of them and the complainer can yield his personal rights that are not related to the profession practice tasks, the public system or the public morals.

### **Article 26: -**

The discipline committee has to inform the official offices and semi-official offices, private offices and other references of the cases that the committee is presented with.

### **Article 27: -**

Any member that violates the profession practice tasks according to this law or if he performs one of the forbidden tasks or behaves in a manner that degrades the profession standards or if he refuses to implement the Union decisions, will expose himself to the following punishments that the Union committees apply: -

1. Forewarning:  
And it consists of sending a notification letter to the violator, warning him of his behavior.
2. Warning: -  
Consists of a notification letter that includes resentment towards the violator's behavior for an act he has committed and he is requested not to repeat the act or he will be punished by the discipline punishments.
3. Banned from practicing the profession for a period that does not exceed 5 years.
4. If the member was punished by being banned from practicing the profession he is not allowed to appoint a colleague to take his place in the clinic during the ban period.

## **Article 28: -**

1. The member is forbidden to practice the profession during his conviction period if a final conviction was issued against him from a criminal court for an un-political crime or immoral crime, or a crime due to misconduct of the profession practice and the punishment is imprisonment for a period that does not exceed one year.
2. If a final punishment conviction was issued by the criminal court for an un-political crime or immoral crime or a crime due to misconduct of the profession practice, the member will not be permitted to practice his profession during his imprisonment period which is equivalent to the penalty.
3. If the member according to this article was convicted with a more severe punishment than the punishments mentioned, his name will be removed from the Union's records and he will not be permitted to practice the profession only if he rehabilitates and re-registers according to the rules of this law.

### **Article 29: -**

The decision of being banned from the practice is informed to the Ministry of Health, Dentist's Union and other concerning parties that the discipline committee ascribes by using any methods and this decision is announced in the Union's offices and representatives in the provinces.

### **Article 30: -**

1. Whoever practices the dentistry profession or claims falsely a title that indicates that he is licensed to practice dentistry or one of its fields without being registered or without obtaining a license according to the rules of this law or other laws and regulations or if he can't meet the registration and license conditions, he will be punished with a penalty that does not exceed 500 Dinar or imprisonment for a period that does not exceed 3 years, or be punished by both punishments.
2. It is not permitted for licensed to exceed the jurisdictions that are mentioned in the system of health profession practice in the case of exceeding these jurisdictions, he will be applied by the rules of section one of this article.

### **Article 31: -**

The discipline committees have to submit the cases to the specialized criminal courts with all the investigations that are available in its possession, and if the courts ruling was innocence of the accused that does not forbid the discipline committee to take discipline actions against the accused according to the rules of this law.

### **Article 32: -**

1. Appeal the decisions issued from the discipline committee by one of the conflict parties either the Minister or the chief head at the cassation court in Iraq.

2. The cassation application is submitted within 15 days from the date the conviction is issued for the present and the date of being informed for the absent within 15 days from the date the decision is informed to both the Minister and the chief head on the condition that the applications includes the reasons and means for the annulment of the appealed decision or the appeal will be considered unacceptable.

### **Article 33: -**

The Union Council has to establish a supervising committee, the committee's headquarters is in Baghdad, and its task is to supervise implementing the rules of this law.

### **Article 34: -**

The decisions of the discipline committees are not executed only after gaining the conclusiveness degree.

### **Article 35: -**

If a discipline complaint is made against the chief head or one of his vices who perform his duties and this complaint is submitted to the appellate court, a decision will be made to ban the chief head or his vices from performing the duties that their position requires if the public board approves the courts decision.

### **Article 36: -**

A permit for opening a dentistry lab for teeth manufacturing is given to a licensed dentist if he meets the conditions that the Union issues.

### **Article 37: -**

The Union's finance includes:

- A)** A yearly governmental grant.
- B)** Membership fees and yearly permits.
- C)** The yearly working permit renewal fees in all the dentists clinics, private dentistry hospitals, and commercial

teeth manufacturing labs, these permits are renewed in the first month {January} of every year.

- D) Grants and donations.
- E) The income of parties and public contributions.
- F) The Union's publication profits.
- G) The profits that come from the Union's projects and other incomes.

### **Article 38: -**

The Union Council is the dominant authority on the Union's money and is responsible for collecting the money and keeping it. The Council is also responsible for making decisions for the expenditures that the Union management requires.

### **Article 39: -**

An amount of money decided by the Union Council is set aside from the Union's yearly budget for the dentists club and its branches abroad.

### **Article 40: -**

The Union's financial year starts on the first day of the first month {January} of every year.

### **Article 41: -**

If exceptional circumstances prevented the public board to assemble on the specified date to set the yearly budget, the Union will continue to collect and spend according to the last budget till the public board assembles and sets a new one.

### **Article 42: -**



The money and documents are deposited in one of the banks under the Union's name.

### **Article 43: -**

The deposit and expenditure orders are signed by the chief head and the treasurer that the Union Council appoints.

### **Article 44: -**

The membership to the Union is compulsory on all the individuals mentioned in section one of article one, and these individuals are not allowed to pursue their practices on their own accounts or in governmental and private institutions before they obtain a registration certificate and a practice license according to the rules of this law.

### **Article 45: -**

The member has to meet the following conditions:

1. Has obtained a bachelor degree in dentistry from an Iraqi university or a degree that equates it on the condition that he has to be a preparatory graduate or whatever equates it.
2. Of Iraqi nationality.
3. Not convicted of a felony or an immoral crime.

### **Article 46: -**

The Union accepts the membership of non-Iraqi dentists whether they were Arab or Foreign dentists who have not been banned from their practice in their home countries due to their misconduct of the practice, in cases of the countries that treat Iraqi's by the same methods or if these countries have special contracts with the government or with non-governmental institutions on condition that the practice of those members is limited within the professions boundaries if their country did not treat Iraq with the same methods.

## **Article 47: -**

Every dentist is considered a member of the Union if he has obtained the membership of the dentists Union before the approval of this law.

## **Article 48: -**

1. The membership application is submitted to the Union with the documents approved by specified references.
2. The membership application is presented to the Union Council and the Council has to reach a resolution within 15 days from the date it arrived at the Council, the membership requester and the specified Minister must both be informed of the decision and the Union Council must state the reasons when the membership application is refused. The owner of the request can turn to the cassation court if the Council did not resolve his application within one month from the submission of the application.
3. The application submitter and the Minister, if the application submitter was connected with the government by a contract, can appeal the decision at the cassation court within 15 days from the date the decision has been informed and the cassation court has to resolve the case within 15 days from the date the application is received by the cassation court and its decision is considered final.
4. When the application owner acceptance decision for the Union membership is final, the acceptance is registered in the Union's records and he will be given a registration certificate and a practice license.

## **Article 49: -**

1)

- A)** The membership fee for Iraqis and subjects from Arab countries that treat Iraq with the same methods is 5 Dinars and to other individuals the fee is 50 Dinars. The yearly

license and renewal fee is 5 Dinars for Iraqis and subjects of the Arab countries and 15 Dinars for other individuals.

- B)** The fee for participating in the Arab dentists Union is a quarter of a Dinar for every member.
  - C)** The fee for opening private dentistry hospitals and their permits is 100 Dinars.
  - D)** The fee for opening industrial dentistry labs and their permits is 50 Dinars.
- 2) The renewal fees for the yearly work permits for dentistry clinics is 2 Dinars, for private dentistry hospitals the fee is 50 Dinars and for industrial dentistry labs the fee is 10 Dinars.
  - 3) The fee for dentist's specialization registration is 10 Dinars.
  - 4) The Union's publications including its magazine are distributed on the members for fees.

### **Article 50: -**

The practice license and the yearly work permit are renewed during the month of January of every year, and if the member failed to pay the renewal fee during period mentioned without a legitimate excuse that convinces the Union Council, he will be banned from his practice and will not be given a permit only if he pays the renewal fee doubled.

### **Article 51: -**

If the member failed to renew the yearly practice license for two years on the row without a legitimate excuse, his name will be removed from the records and if he wanted to re-register, he has to pay the membership fees again with the renewal fees.

## **Article 52: -**

The exemption from paying the yearly fees is as followed:

1. Whoever is assigned with military service is exempted from the yearly fees during their service period based on a written request and proof to their assignment to the military service.
2. The individuals assigned with military service do not advantage from this exemption when they pursue their practice in a private clinic for more than three months.
3. Dentists over 50 years of age are exempted from the yearly fees.
4. Dentists who study abroad to obtain a specialization in their field of study are exempted from the yearly fees during their study period and they have to inform the Union before they leave and after they get back.

## **Article 53: -**

It is not permitted to combine pursuing the practice and the following:

- 1) The presidency of the legislative authority.
- 2) The Ministry.
- 3) The position of commercial company manager and performing commercial business whatever its type.

## **Article 54: -**

Any member who fails to meet one or more of the Union membership conditions will lose his membership and will be banned from his practice by a decision made by the Union Council and he has the right to appeal this decision at cassation court within a month from the date he was informed, he also has to state the reasons and causes for the annulment of this appealed decision or the appeal will be considered unacceptable formally and the decision the court makes is considered final.

## **Article 55: -**

1. The member is not permitted to claim for himself the specialization title in any field of dentistry before being restricted by a decision made by the Union.
2. The member submits the application for the registration of the specialization title with the required documents to the Union, and the Union Council has to issue the registration decision if the member has been granted the specialization title in any field of dentistry by the specified parties in the University of Baghdad.

### **Article 56: -**

The following acts are forbidden according to the rules of this law:

- 1) The member is not permitted to claim falsely a specialization title in any field of dentistry before being registered by a decision made by the Union Council.
- 2) Claiming falsely to have obtained the specialization title in any field of dentistry.
- 3) Not implementing the orders that the public health authorities and the Union issue.
- 4) Employing un-permitted individuals with health professions.
- 5) The lack of consideration to the medical behaviors or to the instructions the Union issues from time to time.
- 6) Violation of the medical reputation and the reputation of its pursuers and degrading their academic and moral standards.
- 7) Not responding to the patient's urgent and necessary requests which are confirmed with medical recommendations, also the patient's requests in areas where public hospitals are not available only if he had a legitimate excuse.

### **Article 57: -**

The licensed member is not permitted to pursue his practice outside the province which he works in.

### **Article 58: -**

The employed or recruited Iraqi members can practice their profession after official working hours according to the rules of this law.

### **Article 59: -**

The member and all his family members that he is responsible to provide for according to the Sharia are treated in the first class rooms of the governmental health institutions and technical academies and are exempted from paying the fees.

### **Article 60: -**

- 1) Any violation to the member while he performs his tasks or due to his practicing the profession, the violator will be punished by the same punishment that is applied upon the violator who violates an employee while he performs his tasks and the member can inform the Union or its representatives in the province of the violation.
- 2) The investigation authority has to inform the Union or its representatives in the province before performing the investigation to the crimes that are un-witnessed by the Union, and the Union has to appoint someone to represent him during the investigation.

### **Article 61: -**

1. It is not permitted to detain or sell the Union's possessions or the member's books and his medical clinic's furniture and equipment only if the debt was from the value of the detained or required to detain possessions.
2. It is not permitted to investigate the Union's headquarters or the discipline committees and the representatives, only in

the presence of the chief head or the Union's representative in the Union.

### **Article 62: -**

The Union has to issue a statement defending the dentist's fees for all the different acts he performs due to his practice, and the fees if the dentist had a specialization title in any field of dentistry and the members must commit to this.

### **Article 63: -**

Only the Union has the right to ban the member from practicing his profession.

### **Article 64: -**

A preliminary committee is established from six members the Health Minister, the Union's high committee, the preliminary committee for the dentist's Union, each choose two members on the condition that none of them have been a candidate in the election.

This committee is responsible for arranging the election of the first term and supervising it according to this law.

### **Article 65: -**

The Union has to establish lists for internal regulations approved by the public board and submitted by the Minister to the president for his approval, and the Union has the right to issue instructions and statements to ease the implementation of this law.

### **Article 66: -**

The rules concerning dentists in the amended dentist's Union law number 114 for the year 1966 is annulled and all the rules of other laws that contradict with this law.

**Article 67: -**

This law is executed from the date it is published in an official newspaper.

**Article 68: -**

The Minister has to execute this law.

Ahmed Hassan Al-Bakr  
President of the Revolutionary Common Council

**THE POSITIVE CONDITIONS**

To gain the approval of the public board of physician's Union on the request made by the dentists to establish a specialized Union for themselves and the necessity to establish special rules for practicing the dentistry profession, the membership to the Union, the discipline, defining the Union's assets and raising the standard of the dentistry profession this law has been approved.



# Law Number 112 for the year 1966

## The Pharmacy Union

In the name of people  
The president ship

Based on the rules of article(44) of the temporary constitution and according to the health minister's presentation and the approval of the ministers' council.

The following law has been approved: -

### **Article 1-**

**First: -The Union:**-The pharmacists Union which was established according to the rules of this law.

**Second: -The Minister:**-The Minister of Health.

**Third: -The chief head:**-The pharmacist's chief head.

**Fourth: -The member:**-The individual who is a member of the pharmacists Union according to this law.

**Fifth: -The practice:**-Practicing the pharmacology profession according to the rules of practicing the pharmacology profession and of trading medicine and poisonous materials law.

**Sixth: -The place:**-The pharmacy, the reservation, the factory or the scientific department for advertising permitted medicine according to the rules of practicing the pharmacology profession and of trading medicine and poisonous materials law.

**Seventh : -The council:-**The Union's council.

## **Article 2 :-**

1. According to this law, a Union is established and its headquarters is in Baghdad with a legal personality and has the ownership right to movable properties and immovable properties and conduct them to achieve the Union's purposes. The Union is represented by the chief head.
2. The Union's purposes: -
  - A)** Working on raising the member's social, technical and academic standards and their public health standards by using publication methods, broadcasting, social and cultural activities and participating in public and International conventions which share the same objectives as the Union.
  - B)** Organizing the Union's relationships amongst themselves and their relationships with private or governmental parties and other institutions and defend the members rights.
  - C)** Cooperating with Unions, institutions and committees which share the same objectives as the Union.
  - D) -**Insuring the future of the members in cases of sickness, aging, disability and poverty.

## **Article 3 :-**

The Union consists of the following: -

1. The public board and it includes all the members.
2. The Union council mentioned in article seventeen.
3. The discipline committees and they are three:-
  - A)** The discipline committee for the region of Baghdad:-and it performs its authorities in the provinces of Baghdad, Diyala, Hilla, Kut, Diwaniya, Ramadi and Karbala.

- B)** The discipline committee for the region of Basrah:-and it performs its authorities in the provinces of Basrah, Emara and Nasriya.
- C)** The discipline committee for the region of Mosul:-and it performs its authorities in the provinces of Mosul, Erbil, Kirkuk and Sulaymaniya.
- D)** The Union's representatives in all the provinces excluding Baghdad.

## **Article 4 :-**

### **First :-**

The public board assembles in the Union's headquarters on the morning of the first Friday of the month of {January} of every year by an invitation made by the chief head sent by mail with the budget and the auditing report for each member and it must be sent before the assembly date by fifteen days at the least. The invitation must include the assembly date, place and it must be published in two newspapers at the least and the quorum is considered complete whatever the number of members present.

### **Second :-**

If the chief head and Union council did not issue an invitation to the public board, then the public board will assemble spontaneously on the morning of the last Friday of the month of {January} in the Union's headquarters and the quorum in this case is considered complete in this assembly when none less than 25% of the Union's members are present.

### **Third :-**

The public board's decisions are issued by the majority of the members votes.

### **Fourth :-**

The member is not permitted to participate in the public board's assembly if he was banned from practicing the pharmacology

profession, or if he had not renewed his yearly practice license before the assembly date.

### **Article 5:-**

The public board is permitted to call for an exceptional assembly by a decision made by the Union council and the board must mention the necessary reasons for calling this assembly in the invitation card.

### **Article 6:-**

A third of the Union's members are permitted to submit a written request to the Union inviting the public board for an exceptional assembly and this report must include the reasons for this assembly and the Union council has to issue the invitation within one week from the date of registering the request and the assembly must take place within 15 days from the date of issuing the invitation.

### **Article 7:-**

The public boards obligations are: -

1. Electing the chief head from amongst the members of the Union council under the supervision of the first instance judge in the Union's headquarters area or the judges who may represent him.
2. Approving the budget.
3. Discussing the yearly report, the Union's affairs and its accounts.
4. Observing the amendment of the Union's law and its regulations.
5. Liquidizing the Union's possessions and settling it financially when the Union is dissolved.

### **Article 8:-**

**First:-**The member outside the Baghdad province is permitted to vote in the election by mail.

**Second:-**Every member in the Baghdad province is permitted to vote in the election by mail if he presents a legitimate excuse that convinces the committee which supervises the election at the public board's assembly.

**Third:-**It is not permitted to disperse the voting papers for the votes which have taken place by mail only in the election assembly and by the committee which supervises the election.

### **Article 9:-**

The chief head and the council members, discipline committee members and the Union representatives in the province are elected by the majority of votes and by secret voting for a period of two whole years and they are allowed to be reelected.

### **Article 10:-**

The chief head has to be Iraqi by birth and from Iraqi parents and has practiced the pharmacology profession for a period of ten years at the least.

### **Article 11:-**

1. The member of the Union council has to be an Iraqi who has practiced the pharmacology profession for a period of five years at the least.
2. The member of the discipline committee has to be an Iraqi who has practiced the pharmacology profession for at least five years at the least and is elected by the members of his jurisdiction.
3. The representative of the Union in any province has to be an Iraqi who has practiced the pharmacology profession for at

least 5 years and must be elected by the members in his jurisdiction.

### **Article 12:-**

The member is not permitted to take part in more than one committee elected by the public institution.

### **Article 13:-**

A chief head, a member of the Union council, a member of the discipline committee or a representative of the Union cannot be elected from individuals who have been convicted of crimes and banned from practicing the pharmacology profession for a period that exceeds a month unless two years has passed the incident.

### **Article 14:-**

1. If one of the elected committee members was unable to meet one of the conditions required for his election, and if he was absent during the council's meetings or the discipline committees assemblies for more than five times on the row without a legitimate excuse, the Union council will make the decision and consider the member resigned.
2. If the Union's representative in the province refused to execute the Union's resolutions, then the Union has to elect another representative in that province but it is not permitted to reelect the same representative.
3. If the position of the Union's representative in the district was vacant for any reason, it will be replaced by the individual who gets the majority of votes.

### **Article 15:-**

#### **First:-**

If the position of one of the members of the Union council or the discipline committee was vacant for any reason, the position will be filled by whoever gets the majority of votes in the public elections.

## **Second: -**

If the position of one of the members in the elected committees or discipline committees who was elected by recommendation was vacant, an election must take place to choose the individual who will replace the member's vacant position and the election must take place within a period of one month.

## **Article 16:-**

### **First:-**

If the position of the chief head was vacant for any reason then the Union council has to call the public institution for an election to elect a new chief head in the period of one month from the date of the vacancy, but if the vacancy happened during the last six months of the Union's term then the chief head's vice carry's out all the chief head's obligations till the public institution convenes and the election of a new chief head.

### **Second: -**

If the position of the chief head vice was vacant, then the Union council has to elect the chief head's vice from its members.

## **Article 17:-**

The Union council includes: -

1. The chief head as president.
2. The members of the Union council and they are eight members elected by the public institution.
3. Two chief head vices are elected from the members of the council and they both represent the chief head during his absence or when his position is vacant by succession.

## **Article 18:-**

1. The discipline committee consists of five original members and two substitute members.

2. The head of the discipline committee is the individual who gets the majority of votes during the election.

### **Article 19:-**

All the complaints that are submitted to the council are transferred to investigation committees which are established based on a decision made by the council and one of the members has to be assigned by the Ministry of Health.

The investigation committee must make the decision of transferring these complaints to the specialized discipline committees.

### **Article 20:-**

Rules regulated according to the law of criminal court are applied when the discipline committee observes the cases on the condition that these regulations don't contradict with the rules of this law.

### **Article 21:-**

1. It is permitted to reject a member of the discipline committee when one of the rejecting the rulers reasons mentioned in the civil court regulations law exist, and the Union council must study the rejection request and resolve it according to the regulations of rejecting the rulers by a decision that cannot be appealed.
2. The concerned individuals are permitted to transfer the case from one discipline committee to another committee according to the reasons mentioned in the laws concerned, and the transfer must take place within 15 days and the committee's decision is considered final.

### **Article 22:-**

The discipline committee assemblies are confidential and it is not permitted to publish the rules issued by the committees without



the approval of the Union council when these regulations achieve the public interest.

The Union's papers and regulations are not notified in the same methods used for notifying legal papers.

## **Article 23:-**

### **First:-**

The discipline committee has to register special records for each case and keep them in an archive especially for discipline rules issued by the committee.

### **Second:-**

The criminal court that issues a rule that consists on punishing one of the Union's members has to inform the member of its decision.

## **Article 24:-**

The discipline committee studies the case in the presence of both the parties concerned or in the absence of one of the parties or both of them.

The accuser has to disclaim his personal rights which do not relate to the duties of practicing the profession, the public system and the public morals.

## **Article 25:-**

The discipline committee has to establish a connection with official, semi-official and private offices and other references to discuss the cases that have been submitted to the committee.

## **Article 26:-**

The following issues are forbidden on the members: -

1. Engaging the services of agents, using advertising methods or arousing the public interest.

2. Not implementing the orders that the official or Union references issue.
3. Employing individuals with health professions who have no license.
4. Disregarding the profession behaviors which are set according to instructions issued by the Union.
5. Violations to the health profession reputation or the reputation of its pursuers and degrading their academic or moral standards.

## **Article 27:-**

The member that violates the practice profession obligations, performs a forbidden task, behaves in a manner that degrades the profession standard or refuses to implement the Union's decisions, will be punished by the discipline committee by one of the following punishments: -

1) Catching his attention:-

Meaning catching the violator's attention and this is accomplished by submitting a notice to the violator to catch his attention and not commit the violation again.

2) Warning:-

Meaning submitting the violator with a notice warning him of his behavior and not commit the violation again and if he recommits the violation other discipline punishments will be imposed upon him.

3) The penalty:-

Paying a penalty amount not more than 100 dinars or banning the violator from practicing the profession for a period that does not exceed three months and in both cases if he recommits the same violation within a three year period from the date of committing the first violation, he will be punished by paying a penalty amount not more than 200 dinars or he will be banned from the practice for a period that does not exceed 6 months or he may be punished by both punishments, and the penalty money is considered an income for the Union and if the penalty money was not paid, it will be collected from the violator by the executing offices and discipline committees in addition to the

punishment imposed upon him that consists of closing the pharmacy for a period that does not exceed a month if the violation was repeated in the same pharmacy.

## **Article 28:-**

**First:-** The name of the member will be removed from the Union's records if he was convicted with imprisonment or by paying a penalty for a crime or an offence which is honor defaulting or a crime created due to his misconduct of the profession practice.

**Second:-** It is not permitted to reregister the member in the Union before rehabilitating him.

## **Article 29:-**

The discipline committee informs the Ministry of Health, the Union and other concerning parties of its decision.

## **Article 30:-**

Any individual who has practiced the pharmacology profession or claimed any title or connection which indicates that he is licensed to practice the profession without a previous registration or license according to the rules of this law, he will be punished by paying a penalty amount that does not exceed 500 dinars or he will be punished with imprisonment for a period that does not exceed 3 years or he may be punished by both of the penalties.

## **Article 31:-**

1. The discipline committee is the party specialized in observing the technical violations mentioned in this law and is responsible for submitting the cases to the criminal court

with all the information which is in the committee's possession.

2. The innocence conviction issued by the court does not forbid the discipline committee from issuing discipline decisions against the accused according to the rules of this law.

## **Article 32:-**

### **First:-**

Appealing the decisions issued by the discipline committee by one of the conflicted parties or the Union council or by the Ministry of Health at the Iraqi cassation court within 15 days from the date of informing the involving parties by the court's decision and the court's decision is considered final.

### **Second:-**

The discipline committee's decision of banning the accused from practicing his profession is not executed before attaining its conclusiveness degree.

## **Article 33:-**

The Union council has to establish a committee that consists of three members for observation, and the committee's headquarters is in Baghdad and its duty is to supervise the implementation of the rules of this law.

## **Article 34:-**

The Union's finance consists of the following: -

1. The membership fee for Iraqis and citizens of the Arab countries is 5 dinars and 50 dinars for the others.
2. The practice license fee and its yearly renewal fee is 5 dinars for Iraqis and the citizens of the Arab countries and 15 dinars for the others.
3. The fee for the pharmacy permits and the permits for chemical analysis labs according to the law of practicing the pharmacology profession and of trading medicine and

poisonous materials is 5 dinars and its yearly renewal fee is two dinars.

4. The donations made by the official parties and others.
  5. The penalties that the discipline committee imposes.
  6. Parties and public contribution incomes.
  7. Profits gained by the Union's projects and other incomes.
- And the Union's magazine is distributed without charge.

### **Article 35:-**

The Union council is responsible for the Union's money, and supervises collecting the money and keeping it, the council also makes the decisions of the expenditures that the Union council requires within the budget's approbations, a sufficient amount of money is specialized in the budget by the council for the Union's club and its branches in the provinces.

### **Article 36:-**

The Union's financial year starts on the first of January.

### **Article 37:-**

If exceptional circumstances came between convening the public board on the date of its yearly assembly, and this assembly is for setting the yearly budget, the board will continue collecting and spending according to the previous budget till the public board convenes and sets a new budget.

### **Article 38:-**

The money is deposited under the Union's name in one of the Banks.

### **Article 39:-**

The expenditure and deposit orders are signed by the chief head or the treasurer that is assigned by the council.

#### **Article 40:-**

The pharmacist's membership to the Union is compulsory and it they are not permitted to practice on their own benefits or in private governmental health institutes before they become members in the Union and obtain a registration certificate and a working permit according to the rules of this law.

#### **Article 41:-**

The member has to meet the following conditions: -

1. Has obtained his bachelor degree in pharmacology from an Iraqi pharmacology University or whatever.
2. Of Iraqi nationality.
3. Not convicted of a crime or a immoral felony.

#### **Article 42:-**

The Union has the right to accept the membership of Arab or foreign pharmacists who have not been deprived from their practicing rights in their countries due to their misconduct to the profession, and their countries must treat the Iraqi pharmacists with the same methods or if they have special contracts with the government or non-governmental institutions on the condition that the profession practice for those individuals is limited within their job obligations if their countries did not treat Iraqi pharmacists with the same methods.

#### **Article 43:-**

Any pharmacist who has obtained a membership in the medical profession Union which established according to the law number 67 for the year 1952 is considered a member in the pharmacology Union.

#### **Article 44:-**

1. The membership application is presented to the Union along with the documents approved by the specialized references.

2. The membership application is presented to the Union council and the council has to reach a resolution regarding this application within 15 days from the date it was submitted to the Union and the membership acquirer and minister are informed by the result of the council's decision, the Union council has to state the refusal reason when rejecting the membership application. The application submitter can appeal the decision at the cassation court if the council did not reach a resolution regarding the application within 30 days from the date the application was registered.
3. The minister and the application submitter can appeal the decision when the council's decision was to reject the application in the cassation court within 15 days from the date that he was informed of the decision, and the court has to reach a resolution within 15 days from the date it received the cassation motion and the court decision is considered final.
4. When the decision of accepting the application submitter as a member of the Union is final, he will be registered in the Union's records and will be provided with a registration certificate and a practice license.

### **Article 45:-**

The permits for opening new pharmacies issued before the execution of this law are effective and they are submitted to the yearly renewal fee only.

### **Article 46:-**

The yearly permits that are mentioned in this law are renewed within the month of {January} of every year and if the member does not pay the renewal fee within the mentioned period without a legitimate excuse that convinces the Union, he will be banned from the practice and will not be submitted with a permit only if he pays the renewal fee doubled.

### **Article 47:-**

If the member fails to renew the yearly practice license for two years on the row without a legitimate excuse, his name will be removed from the records and if he wanted to reregister he has to pay the membership and renewal fee again.

### **Article 48:-**

The members who fail to meet one or more of the required Union membership conditions he will lose his membership based on a decision made by the Union council and he has the right to appeal the decision at the cassation court within 30 days from the date he was informed, and the court's decision is considered final.

### **Article 49:-**

Every member can practice in any pharmacy he chooses in Iraq.

### **Article 50:-**

The Iraqi members who are employed or recruited can practice after official hours in their work places according to the rules of this law.

### **Article 51:-**

1. An assault on the member while practicing his profession or for reasons related to his profession is considered similar to an assault on an employee while performing his duties and the member has to inform the Union or its representatives in the province of this assault.
2. The investigation authority has to inform the Union or its representatives in the province when performing an investigation with the member on crimes un-witnessed by



the Union, and the Union must appoint someone to represent it during the investigation.

### **Article 52:-**

1. It is not permitted to confiscate or sell the Union's properties only if the debt was a result of the confiscated properties value or the value of the properties wanted for confiscation.
2. It is not permitted to investigate the Union's headquarters, discipline committees or the representatives without the presence of the chief head and Union representative in the province or the presence of the individuals that represent them.

### **Article 53:-**

It is not permitted to ban the member from practicing the profession only according to the rules of this law.

### **Article 54:-**

A preliminary committee is established that consists of six members, the health minister, the supreme Union committee for medical professions and the preliminary committee for the pharmacology Union, each choose two members on the condition that none of them are nominated in the election and this committee arranges the election of the members of the first term and supervises it according to this law.

### **Article 55:-**

It is permitted to issue regulations to facilitate the execution of this law and the Union can issue the necessary instructions and statements to organize its affairs according to the rules of this law.

### **Article 56:-**

All the rules that contradict with the rules of this law are annulled and the regulations that are issued according to the Union's law for medical professions number 67 for the year 1952 are effective till

new regulations are issued to replace them if the mentioned regulations did not contradict with the rules of this law.

### **Article 57:-**

This law is executed from the date it is published in an official newspaper.

### **Article 58:-**

The Ministers have to execute this law.

**W**ritten in Baghdad on the 12th of Ramadan for the year 1386, which falls on the 24th of December for the year 1966.

**The President**

## **THE POSITIVE REASONS**

According to the approval of the Union's public board for medical professions on the pharmacists request for establishing a Union especially for them, and the necessity of applying special rules for practicing the pharmacology profession, Union membership, union discipline and defining the Union's resources.

**This law has been approved .**

# **The law of practicing medicine in Iraq**

**We the King of Iraq**

**B**ased on the presentation made by the Interior Minister and approved by the ministers council.  
We have approved the following: -

## **Article 1:-**

This law is called:-

# **The law of practicing medicine in Iraq for the year 1925**

## **Definitions:-**

## **Article 2:-**

In this law the following mean: -

1. Medicine:-A science and a profession which strives against diseases and human disabilities, treating these diseases and disabilities or decreasing its impact.
2. The physician:-The individual who has obtained a bachelors medical degree from a recognized authority which qualifies him to practice medicine in all its fields.

3. The dentist:-The individual who has obtained a bachelors in dentistry from a recognized authority which qualifies him to practice the dentistry profession.
4. The dental technician- The individual who trained for teeth technician and is permitted according to article ten of this law to practice some of the dentistry fields.
5. The paromedic:-The individual who specializes in slight surgical sickness and is permitted according to article (10) of the law to practice the Profession.
6. The vaccinations provider:-The individual who specializes in performing vaccinations permitted according to article (10) of this law which deals with the vaccination profession.
7. Midwife:-The individual who specializes in helping pregnant women in their delivery permitted according to article (10) of this law which deals with the profession.
8. The nurse:-The individual who specializes in caring for patients permitted according to the rules of article (10) of this law for the profession.
9. Violation Type:-  
Violation in the medical profession  
Violation in the sectors of medical profession

## **The conditions of practicing the medical sectors**

### **Article 3:-**

It is not permitted to practice medicine or any of its sectors in Iraq whether for pay or without only for individuals permitted according to the rules of this law.

## **Article 4:-**

The physician or dentist who wants to practice his profession in Iraq has to: -

- A) Be present at the public health department center to register the documents that concern his identity and position and the license that he has obtained for the profession practice.
- B) If the physician was of nationality other than the Iraqi nationality, he has to submit a certificate from the Iraqi governmental representative in his country, and this certificate has to confirm the following:-
  - 1) His good manners.
  - 2) The validity of his permit.
  - 3) That he is not convicted with a violation in practicing the medical profession.

And after the public health department is convinced with the good manners of the physician and his adequacy, his name will be registered in the official physicians and dentists records and providing him with the registration permit and the public health department has the right to request from the physician to perform an exam in front of the superior health council board. If the public health department thought it necessary, the registration fees for physicians and dentists is 50 Rupees, but if the physician or dentist was of a nationality other than the Iraqi nationality, then the registration fee is 500 Rupees.

The registration is renewed every year between the first of December and the tenth of December and this is accomplished by submitting an application to the local health authority in the province and this registration is without charge, and if any individual failed to renew the registration during the mentioned period then his name will be removed from the records and the public health department can impose the submitter if it saw it necessary to pay an amount of money that does not exceed the original registration fee to register his name in the records.

## **Article 5:-**

When this law is executed every physician or dentist whether he was Iraqi or foreigner who practices in Iraq has to register his name according to article (4).

### **Article 6:-**

The public health department is permitted from time to time to specify for the benefit of the physicians the areas that the foreign physicians or dentists either than the physicians and dentists mentioned in section one of article four of this law are not permitted to practice in after gaining the approval of the Interior Ministry.

Any physician or dentist who violates the rules of this article is guilty of misconduct to the practice and the rules of section (2) from the article eleven will be applied upon him which concerns practicing in a forbidden location.

The physician or dentist is not permitted to own a pharmacy only according to the rules of article (23) from the public pharmacology law for the year 1923.

### **Article 7:-**

The physician is not permitted to use the specialization title in any field of medicine without a license from the department of public health and this license is given after representing the specialization certificate issued by the Iraqi monarchy medical University system or a foreign specialization certificate and the Tutors council of the Iraqi monarchy medical University decides if it is sufficient to grant the specialization title after the confirmation that the physician has what it takes to practice this specialization.

### **Article 8:-**

Every physician or dentist convicted with a political crime or an immoral offense that are not related to his practice, his name will be removed from the physicians or dentists records and it is not permitted to register only by a decision made by the supreme health council on the condition that a period not less than (6) months has to pass his conviction date.

## **Article 9:-**

**First:-**The physician or dentist that are not recruited or employed commit a violation or misconduct of the practice, he will be trailed before a medical discipline committee by a request made by the public health manager.

**Second:-**The medical discipline committee establishes in the beginning of every year by a statement published in an official newspaper and it includes (3) members by a nomination made by the public health manager and the approval of the minister of social affairs on the condition that one of them has to be an unofficial physician.

**Third:-**The highest of the employed physicians by degree is appointed chief of the medical discipline committee.

**Fourth:-**The medical discipline committee can impose the punishment of banning the physician or dentist from practicing his profession for a period that does not exceed one month if he has committed a violation and the committee can also ban him from practicing his profession for a period that does not exceed three years due to his misconduct of the practice. In addition to other punishments imposed according to other concerning laws.

**Fifth:-**The physician or dentist convicted by the medical discipline committee can appeal this conviction in the supreme health council within (15) days from the day he was informed of the conviction.

**Sixth:-**The supreme health council establishes in the beginning of every year by a statement published in an official newspaper and it includes seven members, three of them have to be not recruited or employed and they are appointed by the minister of social affairs from fourteen individuals that are nominated by the Tutors council of the Iraqi monarchy medical University and one of the council when dentists have to be a member in the council when observing dentists cases only and if a



membership was vacant within the year, a member will be appointed from among the nominated individuals in the beginning of the year.

**Seventh:** -The minister of social affairs is president of the supreme medical council and the vice president is elected by the member from among themselves.

**Eighth:** -The council assembles when not less than four of the members are present in exception of the president and its decisions are issued by the majority of the present members and when the votes are equal the party which includes the president is the winning party.

**Ninth:** -The supreme medical council cancels the punishment imposed in section (4) or it can increase or decrease the punishment and the council's decision is considered final.

**Tenth:** -The rules that are mentioned in the law of criminal court principles which concerns presenting the physician and in front of the discipline medical committee or supreme medical council and presenting the witnesses in front of the council.

**Eleventh:** -The violation and abuse to the profession committed by the employed physicians and dentists outside their

employment time is considered similar to the violations committed by unemployed physicians and these physicians and dentists are trialed by the discipline medical committees and the decision the committee takes must be implemented by the specialized department with consideration for the rules of section five of this article and if the decision was to prevent the physician or the dentist from practicing the profession, then he will be dismissed from his job according to the convicted period.

**Twelfth:** -The violations and misconducts of the practice that are committed by the recruited or employed physicians and dentists while they are performing their duties which they are punished for by dismissing them from their jobs. These violations and misconducts will be submitted to the supreme medical

council to look upon the decision of forbidding the dismissed employee from practicing his profession or allowing him to practice it.

### **Article 10:-**

The public health department has to issue from time to time institutions concerning the following issues after gaining the approval of the interior ministry on them: -

**First:-**A statement that is concerned with contagious diseases.

**Second:-**The competence of the dentists, the dental technicians, the paramedics, the nurses and midwives, and the conditions that authorizes them to practice their professions according to them he will be prevented or suspended from the practice.

**Third:-**Registering the addresses and other issues concerning the medical practice.

### **Article 11:-**

#### **Punishments: -**

##### **First:-**

The individual who practices medicine or any of its fields or tries to practice or claims any false name or title that he is permitted to practice the medical profession or any of its fields without being registered or permitted according to the rules of this law or whoever employs un-permitted individuals to practice the profession or hires workers by publishing adds to shadow the public opinion, or whoever violates the instructions the one issued by the public health department for the preservation arrangement. Then this individual is fined in front of justice with a fee amount of 1000 Rupees or imprisoned for a period that does not exceed (6) months or both punishments.

## **Second: -**

The individual who practices the profession illegally has no right to stand in trial in front of the law to claim the wages that other people are in debt to him, and any individual that has paid him the wages for illegal practice has the right to recollect the wages he paid.

## **Article 12:-**

Whoever violates article six of this law will be punished at first with a penalty amount of 200 Rupees and if he commits the violation a second time, he will be punished with a penalty amount of 200 Rupees and the court will order in addition to these punishments confiscating the medical equipment that are in the pharmacy and deliver them to public health department and the confiscation order does not take place only if the decision was made the public health department.

## **Article 13:-**

The employed or recruited dentists or physicians who work in public offices are not exempted from the rules of article four of this law when practicing their profession on private bases, and they are exempted from these rules in practicing their profession when they perform official duties.

## **Article 14:-**

The certificate of the public health department is essential in all the official cases concerning this law, whether it was registering or obtaining the profession practice license.

## **Article 15:-**

These following laws are annulled when this law is executed:

1. The physicians and dentists publications issued in the year 1920.

2. The physicians and the midwives publications issued in the year 1920 and amended on the thirteenth of September 1920 and all the laws and instructions which were previously mentioned concerning the medical practice in Iraq excluding the instructions issued according to article (10) of this law.

Instructions  
Instructions

### **Article 16:-**

The rules of this law are executed after the date of publishing it in an official newspaper by a month.

### **Article 17:-**

The interior minister has to execute this law.

**W**ritten in Baghdad on the 18<sup>th</sup> of March for the year 1925, which falls on the 22<sup>nd</sup> of Shaban for the year 1343.

**Law number 40 for the year 1970**  
**Practicing the pharmacology**  
**profession**

**In the name of people**  
**The president ship**

**The following law has been approved: -**

**Chapter one**  
**(Definitions)**

**Article 1: -**

**The Minister:-**The Minister of Health.

**The Ministry:-**The Ministry of Health.

**The Union:-**The Pharmacists Union.

**The health authority:-**The Minister or whoever he authorizes.

**The Pharmacist:-** A member of the Union who has obtained a license according to the pharmacist Union's law.

**The Inspector:-** The doctor or the pharmacist appointed by a decision made from the Minister or whoever the Union Committee authorizes, to monitor executing the rules of this law.

**The pharmacology profession:-**Manufacturing, dividing, supplying or the possession of medicine, drugs or any other products for the purpose of selling them or using them for healing humans or animals or preventing them from sickness.

The pharmacology profession also means teaching science or pharmacology or working in beauty product factories or medicine advertising, and on the whole the pharmacology profession means performing duties by the person who has obtained a university bachelor degree in pharmacology.

**The place:-**The pharmacy, medicine reservations, medicine factories beauty product factories that are used for medical reasons or the analysis labs that are mentioned in this law and it has excluded beauty product factories that are used for reasons other than medical ones, on the condition that they are under the supervision of the Ministry according to special instructions the ministry issues for this reason.

**The pharmacy:-**Is the place that manufactures and supplies, prescriptions, medicines, chemical materials, poison, ready-made products that are recognized in Iraq.

**Medicine reservations:-**Are the places that have permits to store and sell medicine to pharmacies and other stores with permits.

**The manager:-**Is the pharmacist who is responsible for managing the store.

**The chemist:-**Is the person who has already been granted the right to practice pharmacology according to the pharmacology law for the year 1923 without performing any analysis.

**The specialized products:-** The products that contain or are characterized of containing one material or more which have specialties for healing humans and animals from sicknesses or preventing them from it or it is used for any other medical reason even if it was not truthfully declared and these products have been manufactured before hand for the purpose of selling them or putting them up for sale or giving them to the public for external or internal use or by injecting methods on the condition that these products are not mentioned in one of the medicine constitution additions or the constitution's official supplements and an example for these products liquids and manufactured products that are used for sterilization and are not mentioned in the medicine constitutions and domestic insecticides, also food substances and beauty products that are used only for medical reasons.

Constitutional products:-The medicine and products that are mentioned in one of the recognized medicine constitutions in Iraq.

Poison:-Are the products which at their largest doses are less than half a gram according to any constitution from the recognized constitutions in Iraq.

Drugs:-The products that are recorded in the first and second supplement lists of the amended drug law number 68 for the year 1965.

Notice (1):-

The products: one, two, three, four, five, six, nine, twenty, twenty four and twenty eight have been amended according to the amended law number 221 for the year 1970 which is published in the Iraqi incident newspaper edition number 1945 on the fifteenth of December 1970.

Notice (2):-

The sentence scientific office for medicine advertising has been removed from the definitions above and from wherever it was mentioned in the amended law of practicing the pharmacology profession number 40 for the year 1970 and in other laws, according to a decision made by the Revolutionary Command Council number 183 dated the fourteenth of February 1979.

## Chapter Two

### The Conditions of Practicing the Profession

## **Article 2:-**

Whoever practices pharmacology has to be: -

1. Of Iraqi nationality.
2. Has acquired:
  - A)** A bachelor degree from a recognized Iraqi pharmacology college.
  - B)** A bachelor degree from a recognized foreign pharmacology college, on the condition that he passes an exam performed by a scientific board from the pharmacology college in the Baghdad University which qualifies him to practice the profession, and this board represents the Union.
  - C)** A certificate from the old Iraqi pharmacology school.
  - D)** The chemist title, if he was practicing the pharmacology profession before the law of pharmacology and the law of poisonous materials and of medicine trading number thirty-three for the year 1951 were issued.
3. A member of the Union and has obtained the yearly practicing license.
4. The chemist who is mentioned in section 2D of this article is excluded from the Union membership condition, and the following measures are taken in this case:
  - A)** The practice license and the pharmacy permit for the chemist is renewed within the month of January of every year at the Ministry after paying a fee amount of 5 Dinars for the license and permit, and if he failed to renew anyone of them within the period mentioned, he will have to pay the fee amount doubled, and both permits are annulled if a period of one year had passed the mentioned month and he had not paid the renewal fee.



- B)** The rules of private pharmacies and other places that are mentioned in this law are applied to the chemist who has a pharmacy or another place permit.

### **Article 3:-**

1. It is not allowed or permitted for a pharmacist to have more than one pharmacy permit in Iraq if a six months period has passed on executing this law, excluding who has obtained two permits a pharmacy permit and a permit for a medicine factory before the nineteenth of march 1970.
2. Every pharmacy has to have a manager.
3. The owner of the permit has to be the manager of the pharmacy and he is not allowed to manage another place if he had given up the management of his pharmacy to another person.
4. It is not allowed for the manager of a pharmacy that has been permitted to another person to own a pharmacy permit.
5. The specialized Minister, when the public interest calls for it can forbid the employed pharmacist from practicing his profession outside his working hours and this is accomplished by forbidding him from managing a pharmacy on the condition that he is granted benefits not less than 25 percent of his basic salary.  
Section five has been amended according to law number 141 for the year 1971 {the second amended law for the law of practicing the pharmacology profession number 40 for the year 1970 that is published in the book Iraqi events number 2057 on the eighteenth of October 1971}.
6. It is not allowed for the pharmacist to combine his practice with other practices like practicing medicine, dentistry or veterinary medicine and it is not considered an illegal act when the pharmacist gives first aid care when sudden accidents occur.

## **Article 4:-**

The pharmacy permit is given by the Union to the pharmacist that meets all the conditions mentioned in article two of this law and the permits for the medicine reservations which have already been given to other than the pharmacist are considered annulled by the end of the year 1971 and these permits cannot be renewed after that date.

## **Article 5:-**

1. The pharmacy permit is issued based on an application supplemented by the following:

- A)** The pharmacy address.
  - B)** The purchase bond certified by the public notary if the request was for an existing pharmacy.
  - C)** The lease if the place intended to become a pharmacy was not owned by the permit acquirer.
  - D)** A document that proves that the trade name is the same as the name of the permit acquirer.
2. The space of the pharmacy requested must not be less than 20 square meters and the distance between the pharmacy and any other pharmacy must not be less than 50 meters.
  3. The owner of the pharmacy permit is the legitimate owner of the pharmacy and all its contents and any other agreement that apposes this is considered invalid.
  4. In case of fire or demolishment, it is allowed to relocate the pharmacy with the same permit to another place in the same area that meets the conditions and not be bound by the rules of section (2) of this article and the same permit is considered valid and safe to use in the same location rebuilding the pharmacy is finished.
  5. The inheritors of the pharmacist who owns the pharmacy permit have the right to utilize the permit for a period of five years from his death after appointing a manager for the

pharmacy, and the ownership of the permit will be transferred after the mentioned period has passed and with the approval of all the inheritors to the person who mostly meets the condition mentioned in article 2 of this law according to its rules, and the mentioned period for the deceased pharmacists is accounted between the nineteenth of March 1970 and the execution of this law which becomes effective from the date of its execution.

### **Article 6:-**

The permit that is mentioned in Article four of this law is considered annulled in the following situations:

1. If the pharmacy is not open within six months from the date the permit is issued.
2. If the pharmacy was closed for a continuous period of six months without any legitimate excuse.
3. If the pharmacy was relocated from its location to another location without the Union's knowledge.
4. If the pharmacy manager used the pharmacy for reasons other than the reasons mentioned in the permit or other manufactures were added and these manufactures have no relation to the practice.

### **Article 7:-**

The name of the pharmacy and the name of the pharmacy manager have to be written on the front view of the pharmacy and they have to be written in Arabic using clear letters.

### **Article 8:-**

- A)** The manager has to live within the city which the pharmacy is located or within the suburbs.

- B)** The employed or recruited pharmacist is not permitted to manage a pharmacy in a town other than the town where he works and if he owned a pharmacy in another town he is not permitted to own or manage any other pharmacy.

### **Article 9:-**

1. After this law has been executed, it is not allowed to issue a permit for opening a pharmacy to a company, only if all the stock holders were pharmacists and the ownership of the stocks cannot be transferred to other than a pharmacist. Any other agreement is considered invalid if other than the pharmacist has a share in the pharmacy profits capital or assets in anyway while regarding the amended rules of section five of article five of this law.
2. After the execution of this law, it is not allowed to issue a permit for a factory or medicine reservation to a company only if more than half of the stock owners were pharmacists and preserving this situation is essential for the continual validity of the permit.

### **Article 10:-**

The pharmacist is permitted after being issued a permit from the Union to conduct pharmaceutical, chemical and pathological chemical analysis in a special place based on instructions issued by the Union.

### **Article 11:-**

1. It is not allowed to reopen the pharmacy if the pharmacy manager had abandoned it before appointing another manager.
2. The manager is not allowed to be absent from the pharmacy or the medicine factory before appointing a pharmacist with a permit and assign him with managing the duties during his absence.

3. If the manager leaves the place where he works or goes absent for a few days, he has to inform the health authorities or the Union in writing of his absence, and he also has to handover all the drugs he has in keeping to whoever is going to take his place and they have to sign in the records the given and received materials.
4. The manager can go absent from the medicine reservation for a period non other than 15 days but he has to inform the health authorities of his absence in writing and this absence must not occur more than three times during one calendar year.

## **Article 12:-**

1. The owners of the permitted pharmacies according to this law have to inform the Ministry and the Union, the names of the pharmacists, the assistants and helpers of the pharmacists and the students who work in the pharmacies for training from the day they join the pharmacy to the day the training ends.
2. It is not permitted for other than the pharmacist to sell, manufacture or package medicine or register it in the medical prescription records.
3. It is permitted for the pharmacist's assistants and helpers, health employees and students of the pharmacology college who are undergoing training to manufacture or package medicine, write the labels and attach them to the packets or containers and register the medicines in medical prescription records under the supervision of the manager.

## **Article 13:-**

The manager has to provide the following in the pharmacy:

1. Scales, measures and the supplies that are displayed in the first supplement list of this law.

2. A refrigerator or more than one if needed or cold store rooms that are suitable to use, that are big enough to store all the brands that have to be preserved in these rooms.
3. Locked counters to store poisons and drugs and the keys of these counters have to be kept with the manager.
4. The latest official list made by the physicians union that contains the names of the physicians with licenses.
5. A copy from the last edition of medical constitutions that the Union publishes and it contains official statements made by the Ministry.

### **Article 14:-**

The pharmacist is not allowed to:

1. To supply the patient with medicine noted in the prescription, if the prescription was not issued by a physician, a veterinarian or a dentist with licenses to practice the profession in Iraq, and make sure of the authenticity of the prescription before supplying the medicine.
2. Refuse to supply the patient with the medicine written in the prescription if they were issued by the individuals mentioned in section (A) of this article, if the prescriptions did not meet the conditions required in this law.
3. Change the quantities of one or more of the items mentioned in the prescription or replace one of the items with another without written authorization from the prescription writer.
4. He is not permitted to supply the patient without a prescription any antibiotics or poisonous materials that the Ministry defines.
5. To supply medicine that contains drugs only according to the rules of the drug law and its amendments, and he is allowed to supply them only according to a special prescription that is defined by instructions issued by the Minister.

6. To supply medicine in prescriptions written in sentences and using signs that are unfamiliar to the art of pharmacology.

### **Article 15:-**

1. The pharmacist is permitted to supply without a prescription the medicines that the Union specifies in a statement issued for this reason.
2. The pharmacist is permitted to supply the medicine that is available in his pharmacy according to the medical prescription and provide the patient with an identical prescription signed by the manager and stamped by the pharmacy stamp after marking the medicines that have been supplied and it is permitted for another pharmacy to supply the medicines that were not available in the other pharmacies and the same procedures have to be followed on the condition that the prescription contains the times and periods for taking the medicine.

### **Article 16:-**

If the pharmacist found that the prescription he has come upon has a technical violation or if the prescription contains a quantity of medicine more than the quantities allowed in the medical constitution or if the prescription was made for medicine that is not imported to Iraq, in this case the pharmacist has to inform the person who has issued the prescription and demand him for a correction or confirmation and ask for his signature if he insists on his confirmation.

### **Article 17:-**

It is not permitted to advertise for any kind of medicine only in medical, scientific or pharmaceutical magazines and these magazines have to mention if the medicine has any kind of side effects.

### **Article 18:-**

It is not allowed to advertise personal merchandise that are considered immoral or misleads the public.

### **Article 19:-**

The prescription has to be written in a proper and easy manner that eases the pharmacist's job to arrange the medicine prescribed, and any prescription that does not include the name and address of the person who has signed it in a readable manner has to be rejected.

### **Article 20:-**

1. Whenever required the inspector has to inspect the pharmacies, non-governmental and governmental medicine storages and anyone who trades with medical herbs and all the places that manufacture, store, sell or distribute goods with medical, health or poisonous characteristics to insure the implementation of the law's rules and regulations.
2. All pharmacists, owners of medicine storages, physicians, dentists and veterinarians who have licenses to sell medicine according to the law and anyone who has in his possession goods with medical, health or poisonous characteristics whether they owned pharmacy permits or were managers of the pharmacies have to allow the inspectors to carry out the inspection in their pharmacies, labs, storages or clinics.
3. If the inspector found any suspicious material, he has to take a sample for analysis give a receipt for the sample he took. The inspector also has to store the found materials in counters or special rooms in the pharmacy after sealing them. Then both the pharmacy owner and manager are considered responsible for the safety of the sealed materials and the Minister has to issue instructions for this.

### **Article 21:-**



Inspecting the pharmacies in the specialty of the inspectors or done by individuals accompanied by the inspectors.

## **Article 22:-**

1. Special medicine items are kept under the responsibility of the manager by using technical methods.
2. It is not permitted to trade with medicine samples and pharmaceutical products that are set aside for advertising reasons and it is also not permitted to sell them, and it has to be written on the sample's internal and external leaflets in an explicit manner the sentence {free medical sample} and this sentence has to be written in the Arabic language.

## **Article 23:-**

A printed label has to be attached to every medicine prepared by the pharmacist and this card has to contain:-

1. The name of the pharmacy and its address.
2. The person who supplies the pharmacy with medicine.
3. The name of the physician who issues the prescription.
4. The supplying date.
5. The number of the medicine in the medical prescription records.
6. How to use the medicine depending on the medical prescription.
7. All the instructions that are issued by the Union.

## **Article 24:-**

The colors of the labels that are attached to the manufactured medicine have to be as following:

1. A white label for medicine made for internal use only.
2. A white label and at its bottom a green label written upon it {do not over limit} for any medicine that contains drugs or poison materials.

3. A red label for medicine made for external use written upon it {external use only} in addition to the word {poison} if the medicine contained any poison materials.
4. A yellow label for medicine made for veterinarian use whether it was internal or external and written upon it the sentence {veterinary use}.

## **Article 25:-**

1. Every pharmacy has to have a record for medical prescriptions, its pages are numbered by serial numbers and it has to be stamped by the stamps used by the health authorities. And this record has to contain the following: -
  - A)** Every medicine that has been manufactured in the pharmacy.
  - B)** The medicines specified serial number in the record.
  - C)** The whole prescription.
  - D)** How to use the medicine.
  - E)** The name of the patient who the medicine was manufactured for.
  - F)** The price of the medicine.
  - G)** The name of the doctor who wrote the prescription.
  - H)** The date the patient was supplied with the medicine.
  - I)** The date the prescription was issued.
2. The manager has to keep hold of the purchase lists for a period of one year at the least.

3. The registration must take place in the first week the medicine is manufactured, and it has to be registered in a clean and detailed manner. The words and sentences must not contain spaces and it is forbidden to scratch off anything in the records or register using special terms or symbols.

### **Article 26:-**

The manager has to keep hold of the prescription for a period of one year at the least from the date the medicine was manufactured, and if the patient's doctor requested from the manager a copy of the original prescription the manager has to present it and it has to be stamped by the pharmacy stamp.

### **Article 27:-**

1. The non-governmental health institutions cannot open pharmacies and supply their patients with medicine before getting a permit from the Union and appointing a manager for the pharmacy.
2. The private pharmacy rules that are mentioned in this law are implemented on all non-governmental health institutions pharmacies.

### **Article 28:-**

1. The Minister can grant the assistant, pharmacists helpers, medical assistants and health employees that are not recruited, permits to open storages for simple medicine supplying in the town that does not have a pharmacy on the condition that this permit is canceled when a private pharmacy is opened in the town and then the storage owner has to clear the storage and close it within 30 days from the date of the opening of the pharmacy.
2. Defining the medicines that the simple medicine storage owner is permitted to trade within a special statement that the Ministry issues after consulting the Union and taking its opinion on the issue.

3. The medicine and materials which are ready for sale have to be kept in the storage in a place which insures its safety, and these medicines should be sold in their original containers without opening or dividing them.
4. The permit is renewed within the month of January of every year after paying a fee amount of 5 Dinars and if the permit owner fails to renew it within the mentioned period, he will have to pay the renewal fee amount doubled and if he did renew the permit within the period of one year from the mentioned month his permit will be cancelled.

### **Article 29:-**

The physician, dentist and veterinarian who practice their professions in a town that doesn't have a pharmacy can supply patients with medicine from their own clinics only if they comply by the rules of this law and they have to quit supplying if a private pharmacy opens in their town within a period of ninety days from the opening of the pharmacy.

### **Article 30:-**

The permit to open a medicine reservation is given by the Union after paying a fee of 20 Dinars, and this license has to be renewed in the first month of every year {January} after paying a fee of 5 Dinars, and this renewal fee is doubled if the license was not renewed during that given period and if the license owner could not give a legitimate excuse for his delay.

### **Article 31:-**

The medicine reservations and factories are applied by rules of sections 2, 3 from the article thirteen of this law.

### **Article 32:-**

Medical reservations are obligated to sell medicine and chemical materials in their original packages, meaning the packages they have been put in from the factories and their names have to be attached on them and it is not allowed to supply the medicine and

materials to individuals who don't own permits according to this law.

### **Article 33:-**

1. Every reservation has to keep hold of records that are stamped by the health authorities and these records must contain the following:
  - A)** The type of materials that income and outgo to the reservation and their quantities.
  - B)** The date of the purchases or the date the supplies income to the reservation.
  - C)** The purchase and selling prices.
  - D)** The name of the seller and of the buyer and their addresses.
2. The Minister has to declare in a statement published in an official newspaper the necessity of using other records according to what the public interest requires.

### **Article 34:-**

1. The importation of medicine and medical supplies has to be done according to the rules of the public institution of medicine laws.
2. The special medical supplies that need to be imported are not registered only if the registration application was presented by the public institution of medicine after collecting the fee of 50 Dinars for every type of manufactured goods.

### **Article 35:-**

1. It is not permitted to manufacture medicine or medical supplies in Iraq before obtaining a license from the Minister that allows opening a factory.
2. The license mentioned in section one of this article cannot be given to the pharmacist before he pays a fee of 20 Dinars and this license has to be renewed in the first month of the year {January} after paying a fee of 5 Dinars and the renewal fee is doubled if the license was not renewed during that given period and if the license owner could not give a legitimate excuse for his delay.
3. All the medicine and medical supplies have to be recorded in the Ministry's records before manufacturing them.
4. Rules of this law, concerning records and managers of the medicine reservations comply on factories also.
5. The conditions that have to be available in the factories have to be identified and the Ministry issues instructions concerning this with the Union's agreement.

### **Article 36:-**

A technical committee has to be established in the Ministry consisting of seven members. The Minister chooses three members, the Union, physician Union, the public institution of medicine and the public factory for medicine manufacturing in Samara, all choose one member each. And this committee has to look into the goodness of these supplies both medical and pharmaceutical.

The committee's recommendations are raised to the Minister who decides which supplies to register and which not to register and the disposal of supply quantities that are unfit.

### **Article 37:-**

The constitutional medical supplies that are manufactured in Iraq or imported from other countries are acquitted from registration procedures, if they were manufactured according to the rules of this law after gaining the Ministry's approval on the subject.

## **Article 38:-**

1. If the analysis of the constitutional medical supplies in Iraq showed that these supplies do not meet the constitutional conditions they were manufactured according to, the Minister has to make the decision of confiscating and destroying them.
2. If the analysis showed that special supplies manufactured in Iraq or imported from abroad, do not meet the conditions they were registered upon, the Minister therefore has to make the decision of confiscating and destroying these supplies and he can also make the decision of exporting them to the countries they were imported from on the importers expense if that was possible.
3. The Minister can make the decision and refuse the importation of medicine and medical supplies if the analysis shows that the supplies did not meet the conditions of the constitutions and the conditions that they have been registered according to, or if the inefficiency of these supplies was proven.

## **Article 39:-**

It is not allowed to import, sell or have in possession any supplies if they were not:

1. Registered in the Ministry's records and it was one of the special supplies.
2. Kept in sterilized bottles according to the medical constitutional conditions.
3. Kept in packages firmly sealed, prepared for selling them.
4. Circulated in their countries of origin, and this has to be confirmed by an official testimony from responsible medical references and approved by the specialized authorities.

### **Article 40:-**

The Minister after consulting with established technical committees according to article 36 from this law has to make the decision of forbidding any medical material unsuitable for medical use into the country.

### **Article 41:-**

The tax department has to seclude in a special place all the medicine and imported medical, chemical products which contain drugs, poisonous materials, and it is not permitted to deliver these products to individuals or places which are permitted to trade these products.

And it is permitted to deliver these products after obtaining the Ministry's approval on the condition that these products are imported under the individual's name and for his own special account.

### **Article 42:-**

The statements that are attached to medical products that are imported or manufactured locally and the leaflets that come with them, also the ads and leaflets that are used for advertisement which include their place of manufacture and the materials that the product contains must truly illustrate the products medical characteristics, and they must not include anything that may mislead the public.

And the approval of the Ministry has to be obtained for the contents of the ads and leaflets mentioned before publishing them.

### **Article 43:-**

In importing chemical materials and supplies for agricultural, industrial and domestic reasons, the following has to be considered:

1. The Minister has to issue a statement that allows these materials and supplies to be imported by legally licensed owners and another statement that only allows pharmacists to import them.



2. These materials and supplies are not allowed into Iraq if they were not sealed in suitable and solid containers and written on them in a clear handwriting the name of the material, the factory that supplied it, the quantity the container contains, the texture percentages and the reasons they are used for and it is not allowed to use or trade them for medical reasons.
3. It is not permitted to sell these materials and supplies only to licensed tradesmen and farmers with granted permission from the Ministry of agriculture and industry owners that have special consent from the Ministry.

#### **Article 44:-**

1. It is not allowed to sell arsenic and its products without a permit from the Ministry and the seller has to keep this permit and present it to the health authorities when they demand for it.
2. The permit is renewed on January of every year after paying a fee of 5 Dinars, if he failed to renew the permit during the mentioned month, he has to double the renewal fee, and the permit is annulled if a period of one year passed the mentioned date {January} and the fee was not paid.

#### **Article 45:-**

The technical and scientific conditions have to be considered while storing the medicine and the medical, chemical supplies, the health authority has to issue instructions concerning this.

#### **Article 46:-**

The imports and exports of medicine and supplies that are mentioned in this law are registered in the records of article 33, and the health authority has to over look the loss of some of the supplies due to vaporization, evaporation, crystallization, or dissolvent in their original packages.

### **Article 47:-**

Both the license owner and manager have to answer to the health authority and Union in writing an accurate answer on whatever statements they acquire.

### **Article 48:-**

Both the license owner and manager have to keep the records that are mentioned in this law for a five year period at the least.

Reservation managers and factory managers also have to keep the reports concerning for the same period and they all have to represent these records and reports to the inspector when he asks for them.

### **Article 49:-**

1. A committee is established in the Ministry called the committee of medicine pricing and this committee includes five members, two of them are chosen by the Minister from the top physicians and pharmacists and the Union, the public institutions of medicine and the public factory for medicine manufacturing in Samara each choose one member.
2. The committee establishes the basics for pricing the medicines and medical supplies which are imported or manufactured locally according to lists applied for this reason.
3. Both the importer and the medicine factory manager have to text the selling price on every medicine he imports or manufactures according to instructions issued by the Minister.
4. The manager has to sell the medicine and medical supplies by the prices that are fixed for them.

## **Chapter Three**

### **Punishments**

#### **Article 50:-**

Whoever commits the following deeds will be punished by imprisonment for a period not more than three years or pay a penalty that does not exceed 300 Dinars or both of the punishments:

1. Whoever practiced the pharmacology profession without a license or obtained a pharmacy permit by means of deceive will be punished by annulling his permit.
2. Any individual who uses the pharmacist's title to open a store, and also the pharmacist who lends his title for the same purpose.
3. An unlicensed individual who is not permitted to practice the profession and falsely uses publication methods to advertise for himself in a way that misleads the public to believe that he has the right to practice, and any pharmacist who allows an unlicensed individual to practice the profession under his name in the pharmacy.
4. Whoever cheated or copied one of the medical materials, medicine and chemical materials or sold any of the cheated or copied materials.
5. Whoever sold or put up for sale any medicine or medical materials, chemical materials and medical herbs that are spoiled or damaged.
6. Any individual who manufactured medicine or medical products without a license.

### **Article 51:-**

Whoever imports or sells or puts up for sale one of the products and chemical materials that are mentioned in article 43 of this law without having a license is punished with imprisonment for a period not more than one year or paying a penalty amount that does not exceed one hundred Dinars.

### **Article 52:-**

The individual that breaks a rule from the rules of this law in situations other than the ones mentioned will be punished by paying a penalty amount that does not exceed 200 Dinars.

### **Article 53:-**

The Minister and the Union Council have the right to close the pharmacy for a period that does not exceed 30 days if they saw that the public interest calls for it.

### **Article 54:-**

The court can make the decision of confiscating or damaging the equipment, medicine, and any other materials that were seized when committing a violation according to the rules of this law.

### **Article 55:-**

Every pharmacist who practices his profession in a manner that violates the rules of this law will be submitted upon the Union's discipline committee whether he was submitted upon a court or not.

## **The fourth unit**

### **The general rules**

#### **Article fifty-six:-**

The minister has the right to make the decision of granting who ever finds or helps in finding medical products in the custody of individuals unlicensed to trade with these products with an award ,and the amount of the award granted is 50 percent of the medical products value.

#### **Article fifty-seven:-**

The minister after consulting with the Union can add or omit any of the products mentioned in the lists supplemented to this law, and this is accomplished by a statement published in an official newspaper.

#### **Article fifty-eight:-**

The Union appoints 24 hour sentry for private pharmacies according to statements it issues from time to time.

#### **Article fifty-nine:-**

It is permitted to issue regulations, instructions and statements to ease the execution of this law.

#### **Article sixty:-**

The law of practicing the pharmacy profession the law of trading with medicine and poisonous products number 86 for the year 1956 and number 86 for the year 1956 and their amendments number 24 for the year 1965 are annulled, and work will continue depending on the instructions and statements issued according to these laws till another law is issued to replace them.

### **Article sixty-one:-**

This law is executed from the date it is published in an official newspaper.

### **Article sixty-two:-**

The ministers have to execute this law.

**W**ritten in Baghdad on the twenty second of Thee Alhujjia for the year 1389, dated the twenty-eighth of February for the year 1970.

Ahmad Hassan Al-Bakir  
President of the Revolutionary Command Council  
Republic's president

## **THE REASONS**

According to the insufficiency noticed in the rules of practicing the pharmacology profession and of trading medicine and poisonous products law number 86 for the 1956 and its amendments, and this was noticed during the implementation of this law. And due to the necessity of adding new rules that insures that the substitute law keeps abreast with the developments achieved in the fields of pharmacology after the 17th of July revolution, and after establishing an independent pharmacology union, and this the reason that this law was enacted.

**Law Number (9) for The year 1968**  
**The Physician's Trust fund**

**In the name of the people**  
**Republic's Presidential**

Based on the rules of article (44) from the temporary constitution and according to the presentation made by the health minister and the approval of the minister's council:-

The following law is approved:-

### **Article one:-**

These following terms mean:-

The Union - The physicians Union.

The higher committee – And it means the physician union's higher committee.

The committee – And it means the physician's trust fund committee.

The monthly benefits– And it means the monthly salaries that are specialized for each deserving Union member or for his family members according to the rules of this law.

The benefit--And it means the amount of money specialized for the deserving member according to the rules of this law, and it includes both the monthly and fixed benefits.

The fixed benefits--And it means the amount of money that is paid in one whole payment to the union member according to the rules of this law.

### **Article two:-**

The rules of this law are implemented on all the members of the physician's Union.

### **Article three:-**



A trust fund is established in the Union for the Union's members to provide the deserved members or their families with support according to the rules of this law.

#### **Article four:-**

The trust fund has an independent legal personality represented by the president of the committee, and the president signs on all the reports, decisions, and documents and the checks must be signed by the auditor and the president of the committee.

#### **Article five:-**

##### **First:-**

The trust fund is managed by a committee that consists of five members including the president of the committee and his vice.

##### **Second:-**

Both the president of the committee and his vice are elected by the majority of votes made by the Union's higher committee and they are elected from amongst the Union's members.

The other three members of the trust fund committee are elected by the technical committees, on the condition that each technical committee elects only one member from amongst its members and this elected member must not be a member in the Union's higher committee.

***Third:-***

**The committee's vice president will replace the committee's president in cases of the president's absence or if his position was vacant, and the vice be responsible for all the president's responsibilities and have all his authorities.**

***Fourth:-***

If one of the members abandons his membership in the Union or if his position became vacant the member's technical committee will choose from amongst its members a member to replace him.

***Fifth:-***

The absence of the committee's president, vice president or one of its members for three assemblies on the row is considered a resignation.

***Sixth:-***

The election committee's period is two years it ends with the end of the Union's term.

***Article six:-***

The trust fund committee convenes once a month or when ever it is required by an invitation issued by the committee's president and the quorum is complete by the majority of members present and the decisions are made also by the majority of members present, and if the votes were equal the decision will be made in favor of the party of members that include the committee's president.

***Article seven:-***

The elements of the trust fund consist of the following:-

### *First:-*

**A-** The annual participation fee value of 5 diners is taken from the member who has a private clinic, and 4 diners the fee for members working in public medical clinics, the health insurance fee and the fee for full time physicians, and three diners the fees **taken from residential physicians and the rest of the members. The methods of collecting these fees have to be organized according to the instructions issued by the Union's higher authority.**

**B-** The annual participation fee is paid when the member's annual license is given to him and when the license is renewed. It is not permitted to submit the member with a license or renew it if he refused to pay the fee in advance.

**Second:-** The amounts of money that the Union's public board approves on transferring from the Union's budget to the trust fund's budget by a request made by the trust fund committee must not exceed 20 percent of the amount available in the Union's budget in the preceded the request.

**Third:-** Donations, benefactions, benefits, perceptions and endowments.

### **Article eight:-**

The trust fund's money is bid under the committee's name in the bank that it chooses.

### **Article nine:-**

The committee appoints an accountant to perform its duties and it issues instructions to determine his obligations and the obligations of the other employees, and the committee has the right to appoint the number of employees it needs to perform the trust fund's duties.

### **Article ten:-**

The committee has to invite a legal accounting committee to audit the trust fund's annual accounts.

### **Article eleven:-**

The committee prepares an annual report of the incomes, expenditures and of the trust fund's annual budget and present this report upon the Union's public board in the boards annual assembly to discuss the report and approve it.

### **Article twelve:-**

It is not allowed that the total amount of money specialized yearly for advertisements to exceed 70% of the trust fund's incomes within the Union's financial year.

### **Article thirteen:-**

**First:-** The member deserves the monthly benefit if he suffered from disabilities that prevented him from practicing his profession in a continuous manner for example physical or psychological disabilities or senility in this case he continues to take the benefit, and he will deserve the fixed benefits if the disability kept him from practicing the profession for a limited period of time for example if he was sick, or if he had a temporary disability or if he suffered from an urgent accident that caused a large materialistic loss that he could not afford, and this must be decided by the committee.

**Second:-** Disability is not proven without a report presented by a medical committee established according to the rules of article fourteen of this law.

**Third:-** The member does not deserve the support if he did not suffer from poverty, and this is decided by the committee, and the committee's decision concerning the member has to be supported and certified by the Union's higher authority.

***Fourth:-*** The monthly support is given from the date it was requested after gaining the committee's decision and this decision is in its conclusiveness degree, and this support will be cut off from the member or any of his family members if he failed to meet one of the conditions that make him worth deserving this support.

***Article fourteen:-***

***First:-***

The Union's higher committee elects from the Union's members a medical committee that consists of a manager and two members, their duties are to perform medical examinations on the disabled members to implement the rules of this law, and they have the right to consult with specialized physicians if the case required it.

***Second:-***

The trust fund committee and the members with alleged disabilities have the right to appeal the medical committee's decision within ten days from the date they were informed of the examination results and the decision made depending on these results, and this appeal can be made to the cassation medical committee that consists of a president for the committee, two members named by the Union's higher authority from amongst the Union's members.

The cassation medical committee's decision is considered final.

***Third:-***

It is not permitted for a president or a member in one of the two committees mentioned, to be a president or a member in the other committee.

The president or member in the trust fund committee or the Union's higher committee is not permitted to be a president or a member in one of the two medical committees.

***Fourth:-***

The medical committee and the cassation medical committee assemble due to a request made by the trust fund committee.

## **Article fifteen:-**

### ***First:-***

The member that wants to obtain the support should present a manual request and submit it to the committee with the necessary documents according to the instructions set by the committee, and the committee has to make the decision of accepting or refusing the request within fifteen days from the submission date.

### ***Second:-***

The member has the right to appeal the refusal decision at the Union's higher committee within fifteen days from the date he was informed of the decision.

### ***Third:-***

The higher committee has to resolve the appealed decision within fifteen days from the date the appeal was submitted to it, and the resolution is accomplished by either certifying the request or returning it to the higher committee and mentioning the reasons that led to the refusal so that the committee can overlook them.

### ***Fourth:-***

The committee within fifteen days from the date that the request was returned to it should either amend its decision, replace it or insists on it, and whatever the decision made by the committee it should be presented to the Union's higher committee to resolve it and this has to be done within fifteen days from the date the decision was submitted upon it.

### ***Fifth:-***

The owner of the request can request from the Union's higher committee within fifteen days from the date it was informed of its decision as mentioned in section four of this article to overlook its decision and reach a resolution concerning this issue within fifteen days from the date the request was submitted to it, and the higher committee's decision is considered final.

***Sixth:-*** If the specified period of time mentioned in section four of this article ended and no resolution was made concerning the

overlooked decision then it is considered an insistence on the decision.

And if the specified periods of time for the higher committee mentioned in sections (3),(4) and (5) and no decision was made then it is considered an approval for the committee's decision concerning sections (3) and (4), and an insistence on its decision concerning section (5).

### ***Seventh:-***

The member who's request was rejected a final rejection can submit a new request to overlook according to the rules of this law if the rejection reasons no longer existed.

### **Article sixteen:-**

If the Union member who deserved the monthly benefit died and it was proven to the committee the absence of a suitable income for the members of his family whom he is responsible to provide for according to the shariaa, and if it was proven that his family's income was not sufficient for them and did not provide them with the proper living standards, in this case the support will be transferred by a decision made by the committee and approved by the Union's higher committee to the family members as shown in the following:-

***First:-*** The benefit money will be divided upon the family members equally.

***Second:-*** The wife and the daughter will continue to get the benefit until they remarry or get employed.

***Third:-*** The son continues to get the benefit until he reaches the age of eighteen, and it is excluded from this the situations when the son is totally disable and cannot provide a living for himself or if he was a student in school, union, college or university, in these cases he will continue to get his share of the benefit due to his disability until the disability is gone or until he dies whichever comes first.

***Fourth:-*** If one of the benefited family member died or he was cut off from the benefit for any reason, his share of the benefit will be transferred upon the other deserved family members and distributed upon them equally according to a decision made by the committee and according to this the benefit amount will be amended from the date that it was cut off o from the date of the death.

***Fifth:-*** If the deceased member had more than one wife, each wife gets a full share of her deceased husband's benefit similar to the shares of the other family members.

***Sixth:-*** If the wife of the deceased member was pregnant during the time of his death the fetus is considered a member of the family and will get a full share from his deceased father's benefit money, and he will deserve this benefit from the date of his birth if he was born alive, and if he was born dead then his share will be equally divided upon the deserved family members according to the rules of section four of this article.

### **Article seventeen:-**

Any family member who deserve the benefit or their representatives can submit within a year from the date of their supporter's death a manual request to the president of the committee requesting him to specialize the amount of benefit money that he will get from their deceased supporter's money, and he has to present with the request the necessary documents and the rules of article fifteen of this law is applied upon him.

### **Article eighteen:-**

#### ***First:-***

The Union's higher committee determines according to the committee's suggestion the amount of monthly or fixed benefits



given to the member and the committee is allowed to increase or decrease the benefit amount to the suitable level if the circumstances required it.

***Second:-***

It is not allowed in any condition for the monthly benefit money for any member to exceed the limit set by the higher committee, and it is not allowed for the fixed benefit money to exceed the monthly benefit's maximum limit for the period of twelve months.

**Article nineteen:-**

It is not allowed to give up the benefit to another person or confiscate it only if the member was in debt due to legal spending or postponed dowry.

**Article twenty:-**

***First:-***

The committee can loan the Union and its member's amounts of money with a yearly benefit that is not less than three percent of the loan amount on the condition that the loan amount and its benefits are guaranteed by an ensuring individual.

And the benefit money is taken in equal monthly payments and they must not exceed twenty payments beginning with the first month that follows the month of signing the loan contract.

***Second:-***

If the debtor refused or was delayed from paying any of the payments, the committee can consider the remaining payments overdue and collect them from his money or the money of his sponsor or from their salaries through the offices that they work in.

### ***Third:-***

The member of the Union cannot be in debt to the trust fund and an insuring sponsor at the same time, and if he couldn't repay the trust fund all the debt loan payments with the benefits he will not be allowed to loan again.

### ***Article twenty-one:-***

The committee determines in the last month of the Union's financial year the loans amount for the next financial year and their percentages according to the trust fund's assets.

### ***Article twenty-two:-***

If the trust fund was canceled for any reason all of its money and properties will be transferred to the Union's trust, and in this situation the union will continue to pay the support money to the members chosen before the cancellation of the fund on the condition that the amount of money paid did not exceed the movable monetary assets transferred from the trust fund, and the support payments will stop when this mo

### ***Article twenty-three:-***

***First:-*** The money of the medical professional's trust fund is divided when executing this law between the physicians trust fund and the pharmacists trust fund imputed by a number of members in both of the unions for the year 1966 and the overdue debts that the members have to pay, each member will pay the amount of money deserved upon him to his trust fund.

***Second:-*** Depositing the incomes of the pharmacist's trust fund when implementing this law in the pharmacists union's fund saved until a law is issued regarding it.

### ***Article twenty-four:-***

The medical profession trust fund's law number (156) for the year 1959 is annulled.

**Article twenty-five:-**

The union members who have been previously granted with benefits and monthly salaries according to the rules of the medical profession trust fund's law will continue to obtain them, and these benefits and salaries are considered as though granted according to this law and its rules are applied for them.

**Article twenty-six:-**

The Union can issue instructions to facilitate executing the rules of this law.

**Article twenty-seven:-**

This law is executed from the date of publishing it in an official newspaper.

**Article twenty-eight:-**

The ministers have to execute this law.

**W**ritten in Baghdad on the second of Thee Alauqada for the year 1387 dated thirty-first of January for the year 1968.

## **THE REASONS**

Due to the approval of the Physicians Union's law number ( 114 ) for the year 1966 and the Pharmacists Union's law number( 112 ) for the year 1966 and the separation of both of these Union's that resulted due to the approval of these laws, it was necessary to issue this law.

*Law number (44) for year 1970*  
*The retired Pharmacists fund*

*In the name of the people*  
*Republic Presidential*

Based on the rules of section(c) from the amended fiftieth article in the temporary constitution and according to the presentation made by the health minister and approved by the revolutionary command council.

This law is issued:-

## *The first unit* *The Definitions*

### *Article one:-*

These definitions mean the following:-

- 1- The fund--And it means the retired Pharmacists fund established according this law.
- 2- The Union--And it means the pharmacists Union in the republic of Iraq.
- 3- The ministry —And it means the Ministry of Health.
- 4- The council —And it means the fund's administrative council.
- 5- The pharmacist-- And he is a member of the Iraqi union.
- 6- The place-- And it means the pharmacy, storages, medicine factories or scientific offices for medicine advertisement.

## *The second unit* *The administrative fund*

### *Article two:-*

In the Union's headquarters in Baghdad a special fund for retired pharmacists is established to insure their retirement rights according to the rules of this law, and this fund has a legal personality and has the ownership right and the disposable rights of owning properties and spending money.

And this fund is represented by the council chief in his relationships with official and semi official offices, individuals and with courts.

### **Article three:-**

The fund is managed by a council that consists of four original members the Union council chooses two of them from amongst its members, for the period of two years and they can be reelected and one of these two members will be appointed chief of the council. The finance minister and the health minister choose the third and fourth members from amongst their ministries employee's for the period of one year and they may be reelected, and the Union council, the finance minister and the health minister each choose a substitute member for each original member to take his place when it is required.

### **Article four:-**

The council assemblies quorum is complete when three members are present, and if the president of the council was absent the present members will elect from amongst themselves a president for the council, and the decisions will be made by the majority of the attending member's votes, and if the votes are equal the decision will be in favor to the party that includes the council president.

### **Article five:-**

The council has the following prosperities:-

***First:-*** Insuring the rights for retired pharmacists or for the members of his family if they were deceased, and implementing the rules of this law, in achieving incomes for the fund, taking advantage of the incomes and making decisions of retiring the pharmacists, setting the retirement age and determining the pharmacist's retirement rights or the rights of the members of his family.

***Second:-*** Supervising the organizing of the fund's monthly budget, and approving it.

***Third:-*** Appointing an auditor for the accounts or an accountant licensed to audit fund accounts and submitting the necessary financial reports and the council determines his wages.

***Fourth:-*** Setting the instructions that ease the fund's dealings, and dissolving the accounts of individuals who are included by the rules of this law.

***Fifth:-*** Granting loans to pharmacists with benefits according to instructions that determine the loan amount the benefit price and the situations in which the loan maybe granted.

***Sixth:-*** The council submits its decisions other than the decisions that determine the retirement rights to the minister within ten days from the date it was issued and a copy of it is sent to the Union, and if the minister did not object to these decisions within fifteen days they are considered final.

### **Article six:-**

***First:-*** The fund has a budget independent from the Union's budget, and this budget shows the fund's incomes and expenditures within a whole financial year and he has the right to perform any legal behaviors it finds necessary to achieve his purposes and enhance his finance.

***Second:-*** The fund's financial year starts on the first day of December of every year and it ends on the thirtieth of November in the year following it.

***Third:-*** The council has to send to the Union and both the ministries of health and finance within two months from the end of the financial year a detailed report on his yearly activities attached with it the auditors report or the report of the licensed accountant.



***Fourth:-*** The fund's accounts activities and behaviors are under the inspection of the financial inspection council and the inspection of the public financial inspection office.

***Article seven:-***

The council organizes the fund's annual budget and approves it, but the council cannot start work depending on it before the financial ministry certifies it.

***Article eight:-***

The non invested monitory of the fund is deposited in one of the banks working in Iraqi under the fund's name, and withdraws are preformed according to the methods determined by the council.

***Article nine:-***

The fund's money will be invested as followed:-

***First:-*** Depositing it in an Iraqi bank according to the methods, conditions and amounts determined by the council.

***Second:-*** Dealing with governmental loan bonds, checks, stocks and company's loan bonds that the government participates in.

***Third:-*** Loaning official or semi official government offices guaranteed by the ministry of finance or by one of the bank working in Iraq, on the condition that the loan period does not exceed one year and this period is renewable for also one year.

***Fourth:-*** Owning properties and constructing buildings to use them for the fund's purposes.

### **Article ten:-**

It is allowed to put in the fund's possession the state-owned lands it needs without fees according to the rules of this law to use it for its purposes.

### **Article eleven:-**

The council has the right to appoint the employees and helpers that the fund needs to manage its affairs and determine the wages that are suitable for them.

## **The third unit** **Fund's elements**

### **Article twelve:-**

The fund's elements consist of the following:-

***First:-*** The membership fees according to this law.

***Second:-*** The government's participation in the fund's finance.

***Third:-*** The Union's participation in the fund's finance.

***Fourth:-*** The

***Fifth:-*** The profits made from the Union's and fund's publications.

***Sixth:-*** The fees applied according to this law.

***Seventh:-*** Other incomes like donations,

***Eighth:-***

***A)*** - **The tax stamps** that is special that the council issues by though the general accounts department, after the council decides its design and the cost of its printing, and the stamping put on the

schedule attached with this law according to its value the conductor will be punished at the same punishment that stated in the law putted with the stamp.

***B)***-excluding the formal and non formal offices from putting these stamps on its special papers that related to it.

***Ninth:-***

***A)***- (1/ 2%) the buyer bears it that allowed to sell medicines in the value of each list issued from the general establishment of medicines and medical requirements or any office or establishments buying the medicines and medical requirements.

***B)***-The buyer bears the percentage that is mentioned in section (a) from the general establishment of medicines and medical requirements from private medicines and the incomes of storages consider percentage paid when he buys these materials.

***C)***-The governmental offices and special and mixed sectors are excluded from the rules of this section.

**Article thirteen:-**

***First:-***

The annual fund expenditures must not exceed 80% from the fund's annual income, and the rest will be a substitute for the fund.

***Second:-***

It is not allowed to spend from the fund's substitute income only if an urgent deficiency happened and must be prevented.

**Article fourteen:-**

The fund's money, contracts and incomes are not submitted to the income taxes and to the stamp fees.

**Article fifteen:-**

***First:-*** The income of the pharmacist's trust fund in the union and all of its money and rights are transferred to the fund from the date of executing this law.

***Second:-*** In collecting the fund's debts, the collecting law is applied.

### **The fourth unit** **Participating in the fund**

#### **Article sixteen:-**

***First:-*** Participation in the fund is an obligation for every pharmacist who meets the following conditions, from the date that this law is executed:-

***A)*** - The pharmacist has to be a registered member in the Union and has a profession practice license.

***B)*** - The pharmacist must not be submitted to the retirement rules of another retirement law.

***Second:-*** The pharmacist who included by the rules of section one of this article is not permitted to practice the profession or if he refuses or stops paying the membership fees and the overdue payments according to the rules of this law.

#### **Article seventeen:-**

***First:-*** The pharmacist who is included by the rules of this law must pay membership fees to the fund, and these fees are accounted as followed:-

***A)*** - Thirty dinars each year for the first five years that follow the date of membership to the Union, and it applied after the the execution of this law.

***B)*** - Fifty dinars each year for the five years that follow the period mentioned in section (a) of this article.

***C)*** - Seventy dinars each year for the five years that follow the periods mentioned in sections (a) and (b) of this article.

***D)*** - One hundred dinars each year for the years that follow the periods mentioned in sections (a), (b) and (c) of this article.

***Second:-*** The membership fees can be paid in monthly payments or in various payments within the year on the condition that the annual membership fee is paid before the end of the last month of every year, and the Union must refuse to receive the annual membership fee to the union from the pharmacist before he pays the fund's membership fee for the ended year.

***Third:-***

***A)*** - The pharmacist included by the rules of law number 44 for the year 1970 can request fro the council within the period of one year from the date that this amended law is executed to account for the period of time he spent in practicing the profession previous to the execution of the law number 44 for the year 1970 for retirement reasons and in contrast the pharmacist's rights to accounting the period will be null.

**B)** -f it putting any period considering it the period of practicing the pharmacist on his actual participation in this fund the beginning of this period to applied the rules of this law.

**C)** -e substitution of the participation in the mentioned period in section (a) by a month installation during five years that the installation not less than five diners in addition to the retire installation.

**Fourth:-** The private pharmacist can make a request any time he desires within the period he spends practicing the profession to add all or a part of the period he spent employed or recruited in governmental offices and official or semi official institutions whether this period was in a continues manner or not to the period he spends practicing the profession for retirement purposes on the condition that the period added must succeed his graduation from the pharmacology college , and that the period added must not exceed the profession practice period and must not exceed in any case the period of ten yeas.

**Fifth:-** When adding the period spent in performing the job to the period spent practicing the profession according to section four of this article the following must be considered:-

**A)** -If the pharmacists deserved a reward for the period he spent in the job in this case he has to pay membership fees mentioned in section one of this article doubled concerning that period, and the last period of time he spent in the job that is similar to the period added is depended upon when setting the membership fees.

**B)** -If the pharmacist did not deserve a reward for the mentioned period, in this case the specialized retirement office has to send all the retirement deductions that it has collected to the fund, and the pharmacist has to pay the variance between the deductions and what equivalents it from the membership fees, doubled for the period that was added according to the rules of this law.

**C)** -The unpaid membership fees are collected according to the rules of section five of this article in monthly

**payments, within the period of five years on the condition that the monthly payments are not less than five dinars in addition to the annual retirement membership fees that have to be paid to the fund.**

**D)-** If the pharmacist deserved a retirement salary then the adding of the periods are for the purpose of retirement only, and in this case his retirement salary will be counted depending on the period he spent practicing the profession only and the retirement membership fees will not be taken depending on the period that was added.

**Sixth:-** The following periods are considered the practicing periods for retirement purposes, if the pharmacist paid the membership fees to the Union and the membership fees to the fund:-

**A)-** The sickness period that made him stay at home and leave work, on the condition that it does not exceed the period of two years and the sickness must be confirmed by a report issued from an official medical committee that consists of at least three physicians.

**B)-** The period that the pharmacist's spends in performing substitute services in the army on the condition that he has previously been registered as a member in the pharmacists Union or the Union for medical professionals.

**C)-** The period that the pharmacist spent abroad studying to obtain the specialization title and this period must not exceed four years.

**Seventh:-** It is permitted to combine between the job's retirement rights and the retirement rights for the pharmacology profession on the condition that both retirement salaries must not exceed (125) dinars monthly and in any case the decrease will be performed on the profession's retirement rights.

*The fifth unit*  
*The retirement and the specialization*

*Article eighteen:-*

***First:-*** The pharmacist can make the request for retirement if the following conditions applied him:-

***A)-*** If he was a registered Union member, licensed to practice the profession when he makes the retirement request.

***B)-*** If he has paid all of the fund's retirement membership fees and Union debts, and if he or whoever deserves the retirement rights on his behalf failed to pay these amounts then the fund has the right to stop counting the period required for retirement purposes if the membership fees and debts were not paid.

***C)-*** The period required to reach retirement and deserve its rights should not be less than 25 years according to the rules of this law, years, whether the service period was continuous or not on the condition that his actual participation period in the fund is not less than five years and he completed sixty years of his age, and if he has not completed sixty years and the actual participation period not less than five years and he is disability to practicing his occupation by a medical report of the medical committee not less than three members.

***Second:-*** The pharmacist must retire {even if he did not request a retirement} if he suffered from a disability or sickness that prevented him from practicing the profession, for example insanity, blindness, amnesia and others and this must be confirmed by a report issued from an official medical committee its members not less than three physicians.

*Article nineteen:-*



The retired pharmacist deserves the retirement rights according to the following rules:-

***First:-***

If the period of time accounted for retirement reached three hundred months in this case the pharmacist will deserve the full retirement salary and its amount is ninety dinars a fixed monthly.

***Second:-***

If the period of three hundred months was exceeded in this case the pharmacist will deserve the full retirement salary mentioned in section (1) of this article added to it 300 fils for each month that exceeds the mentioned period, on the condition that the voluntary retirement salary does not exceed one hundred and fifty dinars each month in any case.

***Third:-***

If the period was less than three hundred months and was one hundred and eighty months or more in this case the pharmacist will deserve a retirement salary of 300 fils for each month that he practiced the profession.

***Fourth:-***

Neglected from the account the months are less than thirty days, only if they were a whole calendar month.

***Article twenty:-***

***First:-*** If the pharmacist died or was unable to practice his profession and this was proven by an official medical committee that consists of none less than three physicians and if the period spent practicing the profession was less than 180 months and does not exceed six months, the minister based on a suggestion made by the council will raise the practice period to the limit mentioned so that the individual or his family members will deserve the retirement salary.

***Second:-*** And if the period less than that he will deserves a fix prizes by divided the complete salary (90) dinars on 12 and multiply it with out of the divided in the number of the month of the practicing if the association decided that he deserving this supporting and his salary not less than fifteen diners for every person in his family and the total for them not more than fifty.

***Article twenty-one:-***

If the pharmacist or the retired pharmacist died all his retirement rights that he deserves will be transferred to family, and the family retirement rules mentioned in the civil retirement law is applied in this case.

***Article twenty-two:-***

The following rules are applied when the pharmacist retires:-

***First:-*** Transferring his name to the retired pharmacist's records.

***Second:-*** Closing down his place within the maximum period of one month from the date he was informed of the retirement decision.

***Third:-*** Preventing him from performing the pharmacology profession from the date he was informed of the retirement decision.

***Fourth:-*** If the pharmacist refused to apply to the rules of this law the union will warn him by a written authorization the necessity to leave the violation within the period of one week from the date that he was warned, and if he did not execute the warning his retirement salary will be cut off for a period defined by the council.

***Article twenty-three:-***

Every pharmacist that finds that he deserves the retirement must inform the council with all that might affect his retirement rights , for example the truth about his age, leaving school, marriage, divorce and death and if he fails to comply the Union must decide the following:-

***First:-*** Cutting off the retirement salary for a period that does not exceed three months.

***Second:-*** The fund has the right to collect from the pharmacist the money he needs to repair the damage that has affected fund, from paying retirement salaries to undeserving individuals.

***Article twenty-four:-***

The pharmacist is considered retired from the date that the council issues the retirement decision, and the council has to resolve the retirement request within thirty days from the date the request was registered at the union, and the pharmacist is considered retired by the end of the mentioned period if a resolution was not made.

***The sixth unit***  
***The suspension and deprivation***

***Article twenty-five:-***

The pharmacist's retirement salary is suspended if he practiced the pharmacology profession in any place according to the rules of practicing the pharmacology profession law, and the salary is cut off from the date the pharmacist started to practice.

The pharmacist in this case can make the request of including him with the rules of this law when he makes the decision of leaving the practice, and the last practice period is added to the previous practice periods and the retirement salary will be specialized according to the total of the two mentioned periods from the date that the pharmacist leaves the profession practice.

### **Article twenty-six:-**

**First:-** The pharmacist or the retired pharmacist is deprived from the retirement rights, and these rights are not transferred to his family members if he nationalizes with a nationality other than the nationality of the Arabic countries.

**Second:-** The pharmacist or the retired pharmacist is deprived from the retirement rights and these rights are transferred to his family members.

**Third:-** The retirement rights deprivation rules stated in the civil retirement law is applied upon the pharmacist or the retired pharmacist and his family members.

### **Article twenty-seven:-**

The council is not allowed to determine the retirement period if the period was not proven with documents issued by the Union or other official departments.

## **The seventh unit** **General Rules**

### **Article twenty-eight:-**

If the Union was canceled the fund continues to perform its duties and it becomes a self independent institution, and the health minister will appoint a president for the fund and he will also appoint the second member, choosing them from amongst the pharmacists.

### **Article twenty-nine:-**

#### ***First:-***

The rules of this law are applied upon the retired individuals.

#### ***Second:-***

The rules of this law are applied in all the situations that occur concerning the retired individual's affairs or the affairs of his family members, on the condition that it does not lead to the increase of the retired pharmacist's retirement salary.

### **Article thirty:-**

It is not allowed to confiscate the retirement salary only in the following conditions:-

***First:-*** The amount that does not exceed one third of the retirement salary from the fund's debts, and it must be taken before the other debts.

***Second:-*** If the debt was from legal expenditures or postponed dowry, and the amount must not exceed one third of the retirement salary.

***Third:-*** If you have debts were related to the government treasurer, whether the in debt party was an official or semi official office, and on the condition that the amount does not exceed one third of the retirement salary.

***Fourth:-*** If the two cases previously mentioned in sections (2, 3) combined, it is not allowed to confiscate an amount that exceeds a sixth of the original retirement salary for each case.

### **Article thirty-one:-**

### ***First:-***

Any retired individual he was not underage or suffered from a disability and was cut off from receiving his retirement salary and he did not demand for an explanation, for a period of one year he will lose his right in the retirement salary, only if he proved that he couldn't submit the request at the time due to legitimate excuses. Failing to provide documents and information required by the council from the retired individual is considered failure from his part according to the rules of this law.

### ***Second:-***

It is not allowed in any situation to provide the individual with the accumulated retirement salary for a period that exceeds three years for any reason or any excuse, only if the delay was due to the council and the retired individual and his legal deputy failed to petition the delay and demand an explanation or failed to submit the required documents.

### ***Article thirty-two:-***

According the rules of this law the pharmacist is submitted to the following fees, and these fees will become an income for the fund:-

***First:-*** The decree of the pharmacist in guarantee value 1% and it is must not be less than one diner or exceed ten diners.

***Second:-*** Five diners the fees for transferring the place from one location to another.

***Third:-*** Two diners the fees for changing the responsibility of the place from one individual to another.

***Fourth:-*** Ten diners yearly the fees taken from the Union members who do not participate in the fund, but practice their professions in private places.

***Fifth:-*** Two diners the fees taken from the member employed by the government, who owns a pharmacology license and does not practice the profession in private places.

**Article thirty-three:-**

The decisions made by the council concerning retirement rights or the retirement age can be appealed according to this law at the Iraqi cassation court within thirty days from the date that the concerned party was informed of the decision, and the court's decision is considered final.

**Article thirty-four:-**

The amended civil retirement law rules number 33 for the year 1966 or any laws that replace it are applied in cases that are not stated in this law, excluding articles fifty and fifty-two.

**Article thirty-five:-**

**First:-** The association member or the employer in an official and non official offices that he practicing his occupation to included the period to his retire in condition of this period not more than three multiple of his retired share that he paid it . if the period practicing more than the period that want to included it in the last period to account three of its retire shares.

**Second:-** The including request presented with certify of practicing from the retire office and he must proved in the request during three months from the date of presenting and this consider approving for his practicing.

**Third:-** The specialist office accounts the retiree's share for paid and determined the monthly installation amount that the member has to paid it and not less than five diners and the period of the paid not more than three years and the office should informed the officer member that he related to cut the installation from his salary.

**Fourth:-** The rules of this law will be applied on every office in during of the law implement.

**Article thirty-six:-**

The pharmacist's trust fund law number (53) for the year 1968 is annulled.

**Article thirty-seven:-**

This law is executed from the date it is published in an official newspaper.

**Article thirty-eight:-**

The ministries have to execute this law.

**W**ritten in Baghdad on the twenty fourth of Thee Alhujja 1389, the second day of March for the year 1970

Ahmad Hassan Al-Bakir  
The president of the Revolutionary command Council  
The Republic's President

**The reasons**

The pharmacy insurance fund law number (53) for the year 1968 the first independent legal law that insures the implementation of the insurance principle, without including limits for this insurance as the limits set by the retirement principle, and abreast with the national governmental plan in expanding the guarantees for all the citizens, for example implementing the retirement law to include the pharmacists union's members to insure the suitable living standards for the retired pharmacists and their family members.

This law is issued.